Previous references.

1903·04

(Sep-Revenue)

File No. 6D of-02-03

Serial Nos. 1 & 3

Later references.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1–3

Major ~~Part~~ **B. for** March 1904.

SUBJECT.

Excise Sales for 1904–05

From the Excise Commissioner No 6737 dated 23rd February 1904 submits for approval and publication in two Gazettes regarding Sales of Excise Previleges for the year 1904–05

2. The Excise Commissioner Comptroller and Deputy Commissioners of Districts- No. 629–39 dated 29th March 1904, approves and forwards Ex-7 6–02 for publication the draft notifications of certain Excise Previleges —

3. G. R. S. 58 The ~~Collectors~~ Compilers Supervisors Gazettes No 6407 dated 29th March 04. Notify Ex-7 6 of 02 the Sale of Separate annuals Shops and 2 Toddy Shops

Rammurthy
19/2/14

S. R.

6D-02

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

Subject. The Excise Commissioner's letter No. 6737/265, dated 23rd/25th February 1904, submitting for approval and publication in Mysore Gazette a draft Notification of the sale of Excise Privileges for the year 1904-'05.

Note. The Notification submitted is an innovation on the Notifications issued in previous years. It is comprehensive and in general plan is but a reproduction of the Memorandum. Instead of issuing a separate Notification for each item of Excise Revenue as formerly, only one Notification has been submitted for issue, embracing all the conditions both general and special relating to the various items of the revenue. The Conditions of sale, which affect all items alike, have been grouped together and placed ~~as a head~~ "General" at the beginning of the Notification. Next come the General Conditions applicable to all licenses, and lastly the special conditions affecting the different items, grouped under separate sections.

‡1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

*1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

This method has several advantages. Besides giving to the various items which go to contribute to the Excise Revenue an air of homogeneity, it has rendered the numerous conditions of the several items easily comprehensible. And it will also make, as the Excise Commissioner has observed, the task of printing the Sale Notifications easy and less expensive.

Besides the changes above noted the conditions as contained in the former notifications and licenses have undergone some alterations and additions. Most of these have been copied from the Madras Notifications. The more material of these have been clearly pointed out in the Memo submitted by the Excise Commissioner along with the Draft Notification.

A few observations are respectfully submitted for consideration.

In para 19 of his Memo the Ex. Commr refers to a condition newly introduced into the draft notification viz the prohibition of the sale of liquor or intoxicating drugs to insane persons. This has been copied from the Madras Notification. The prohibition appears to be rather vague & practically embarrassing to vendors. Who is to be considered insane, what degree of insanity is contemplated & how is a person's sanity or insanity to be known by the vendors is rather difficult to determine.

In para 22, it is said that persons having interest in Abkari or Opium license in the Civil & Military Station of Bangalore

Bangalore are to be debarred in future from taking up any Excise privilege in the Mysore State, except with the permission of the Excise Commissr. This appears to be rather hard, but may be useful by way of keeping away people of shoddy means from taking shops in two or three places, without being able to manage them & thus defraud Govt.

C Para 23. Contains a reply to the 2nd councillor's remark with regard to the fixing of the Ganja retail rate in Mysore at 2 as per tola, which only the minimum rate ~~is to be~~ fixed at that sum in Madras. Here the Excise Commissioner remarks that "any further liberty with regard to the vendors adopting optional rates of retail higher than two annas is considered unsafe as jeopardising revenue and therefore a fixed rate is proposed."

D Rule 12 of the Sale ~~rules~~ conditions in the draft notification lays down that the successful bidder should leave his address with the officer conducting the sale in order that the confirmation of the sale may be communicated to him and that the confirmation should be communicated to the bidder by means of a notice which is to be forwarded by duly registered post. Who is to bear the charge of registration has not been mentioned. It must of course be the bidder. This may be clearly specified.

In para 36 of the "General conditions applicable to all licenses" it is said that any license shall be revocable by the Deputy Commissioner at his discretion on giving the licensee 15 days notice of such revocation, in which case a proportionate

* Rather a trivial point to notice

proportionate part of the rent paid
will be refunded. Is this meant to
be general? what, if a lease is re-
submitted

M. 8/3/04

The draft in its may be
altered with the consent of the
parties and in the case of the
draft which corresponding
changes in the rules under
the Act repealed by the Act
and in the rules
may be required by the Land
Commissioners, as the case may
arise, by the Land Commissioners
and the Board
of Agriculture

9/3/04

Ad

Sent to the Treasury 9/3/04
with the Bill

We must deal with the Rules first
& then leave the Notice to him into line
with them. In other words no provision
not yet in existence with the Rules
can go into the Notice to him - I am

(5)

Lord Ampthill has not in the Solicitor General and his Assistant to see me in the office tomorrow at 7 PM the changes proposed both in form & in substance and so numerous that a complete examination is absolutely necessary

11/3/04

DR

Shd

The Executive Committee is also on this with the Executive Committee

12/3/04

X X

What a pity the Lycée Comm is, it seems, not expected back before the 25th Inst - In the meantime this is a [redacted] matter. No modification of Rules has been proposed except certain changes in the Staff. Notification has been made - Kindly get them mailed in a copy of the Rules as early as possible -

Yours &c
Ampthill
G. S. Clark

12/3/04

Secretariat Army
Cot it can but it
need be more satisfactory
that could get from
Special Commissioned us
of an Inquiry a draft of
Amendment to be made in
Rules - 2 Board
and Naval Officers a wire
follows: "A Special
Commission cannot be
sent without amending
Act & would require
Cause & about also
Fee of Amendment
Required".

C

15/3/04

Sent at 12
by
15/3/1904

Subj
The telegram
despatched
3/30 on 15/3/0
MT
15/3/04.

Note.

A new departure has been attempted by the Excise Commissioner this time but I do not quite see the advantage of it. If anything, the consolidated Notification proposed is more perplexing than useful. Something might perhaps be said in favor of the innovation if all the terms and conditions of sale were common to the several items of Abkari proposed to be dealt with. On the contrary, the Excise Commissioner's draft deals in the first part with common terms and conditions interspersed here and there with special ones, while in the second it treats of certain peculiar features of each item separately Madras has long been accustomed to a Notification of this kind but it does not follow that we should adopt it irrespective of the disadvantages attendant upon it. The alterations suggested are so numerous and some of them so important that in spite of the fact that I have spent several days over the subject, I cannot say I am satisfied as to the desirability of issuing a single Notification.

2. At my request, Mr. Purnaiyya has now kindly sent me two separate Notifications, one in regard to toddy and the other in regard to arrack, on the lines of last year's Notifications and with the proposed alterations worked into them. I have gone through them and find that before the modifications suggested are adopted an amendment of the Rules which have the force of law is a sine qua non. Time is pressing and further delay in the promulgation of the Notifications is highly undesirable. the dates fixed for the sales being fast approaching. As far as I can see, the changes proposed, as slightly revised by me, are suitable. I doubt whether the immediate introduction thereof in their entirety is calculated to appreciably influence the

the forthcoming sales one way or the other. If, however, they could be promulgated at ~~one~~ once in anticipation of sanction to corresponding changes in the Rules, the two separate Notifications in question may be issued.

3. Ganja, opium and country beer are items which have hitherto formed the subject of Notifications by the Excise Commissioner himself, all important changes receiving of course ~~the~~ The sanction of Government. On the present occasion too, they may be similarly dealt with.

4. In view of the great importance and extreme urgency of the matter, I have consulted the Excise Commissioner as to whether it would not be advisable to minimize the number of changes and issue the Notifications forthwith, leaving the other changes, partly verbal and partly material, for a more leisurely examination and treatment. He is agreeable to this course which therefore may be adopted with advantage in preference to forestalling an amendment of the Rules in a variety of ways.

5. The following are the only changes which in my opinion as well as in that of Mr. Purnaiyya need at once be made in connection with the sales of ~~1904-05~~ 1904-05.

Toddy. (1) The reduction of deposit from three to two months' rent.

(2) Relaxation of rule regarding execution of bonds and agreements.

Arrack. (1) Same as No. (2) of Toddy.

(2) Sale of special liquor.

Ganja. Increase of retail rate from one anna to two annas per tola.

(Note. This may also be intimated to the Resident).

6. As recommended by Mr. Purnaiyya the separate levy of local cess on toddy shop rent may be enforced from 1905-06, 1/17 of the shop rent being deducted and set apart for local purposes in the year in question (1904-05). His Highness sanctioned the separate

separate levy only the other day and no order regarding it has yet been issued. There is some foundation for the Excise Commissioner's apprehension that the revenue would be prejudicially affected by want of sufficient and timely notice.

29/3/04

To the Assistant Secretary who will please place the alternative Notifications before the Dewan and obtain his orders in time for publication of the approved Notifications with complete schedules in this week's (day after tomorrow) Gazette if not in a Gazette Extraordinary tomorrow. An intelligent and responsible official of the Excise Commissioner's Office may at once be deputed to the Press Office and asked to see the Notifications promptly and correctly pushed through the press.

29/3/04

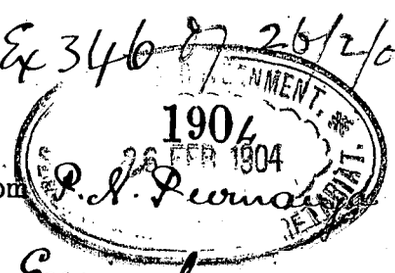
After going through the whole carefully I am inclined would not first notify the alterations which all the Taluks have been worked in — this may be prescribed — This will necessitate the alterations of rules but may not affect any principles — Rules may be taken up subsequently these alterations at once — But the Excise Com^r may be told from the next year he must prepare the alterations of the rules first

and obtain sanction after they
are allowed to introduce the alterations
with the Notes. This year he seems
to have followed the practice of the
previous years - by sending the very
of Local cop on which such result of
agreement proposal to settle till all
1905-06 - a deduction being made
for this year = Separate Notes will
be issued for Sanja - Opium & Gunj Teen
Patti Cour will as heretofore issue Bijam Notes.

29. III. 04

SRDof02
Sl 1

Ex 346 dt 26/2/04



From P. N. Fernandez Esqure B.a
Excise Commissioner
in Mysore

To L. Anantaramu Rowesq
Offg: Secretary to the Government B.A B.L
of His Highness the Maharaja of Mysore
General and Revenue Departments

Dated 23rd February 1904.

Despatched 25th

Received

General No. 6737

No. 265

Draft Notn +
Enclosure No 1 memo

Subject

Submits for approval and publication in the Mysore Gazette a draft notification of sale of Excise privileges for the year 1904-1905.

?

Encl
26. 2. 04

MGCPB—50 reams.—6-12-02.

No. 6737 Excise Commissioner's Off
265 Bangalore, dated 23rd Feb
19

From

R. N. Purnaiya Esquire B. A

Excise Commissioner

in Mysore

To

L. Anantasamie Row Esquire

M

Offg. Secretary to the Governme

of His Highness the Maharaja

of Mysore

General and Revenue Departme

Sir

I have the honour to submit f

approval and publication in the Mysor

Gazette in English and Kanada, a dra

notification of Sale of Excise privileges f

the year 1904-1905. A memorandum c

showing the alterations and additio

proposed in the conditions attache

to Sales and Licenses is enclosed.

2

2 Favour of early orders is solicited as the Sales are to begin from the 11th April 1904.

I have the honour to be:
Sir
Your Most obedient Servant,
M Krumacq
Excise Commissioner
in Mysore

Excise Commissioners Office
Bangalore, Dated 23rd February
1904.

Memo

Showing the alterations and additions in the Excise Sale Notice proposed to be issued for the year 1904-1905, as compared with those issued for the year 1903-1904.

1. The items of Excise privileges to be sold by public auction are Arrack, Toddy, Country Beer, Opium and other intoxicating drugs. Upto last year a separate notice used to be issued for the sale of each item. As many of the conditions in the notice are common to all the items, and as the issue of a separate notice for each item will entail additional work on the press, only one consolidated notice is now submitted embodying therein all the necessary information

It would be simpler to have separate Notifications - Some Clauses are Clauses which

3

information in the matter so that the public may have it in one paper.

2. Care has been taken to note down under each item conditions specially applicable thereto.

3. As it is intended to extend the system of independent arrack shops and have that of Vend Farm supplanted, the conditions applicable to the latter are omitted. ✓

4. According to the present practice, the intending bidders are to deposit a sum of money at the time of sale to entitle them to bid. There may not be sufficient time to receive all payments just a few hours before the commencement of Sale. Hence the provision in the proposed notice allowing the receipt of deposits

Conditions of auction Sale.

deposits at any time within three days previous to the date of sale.

5. The preliminary deposit to be paid by the intending bidders is now fixed at Rs.60 for arrack independent shops. As this amount is too large for unimportant places, it is reduced to Rs.10.

Requires Chapter of Arrack Rules, Toddy Rules, Ryot as it is to now on all cases now with Rs.10 be Rs hereafter —

6 As regards the grounds on which a person's offer to bid may be refused the Madras condition VI (Revenue Board's Notification No. 13 dated 12th July 1903) has been adopted with some verbal alterations in place of the marginally noted clause in our notice. The Mad. Sas condition debars from bedding a person who has been convicted by a Criminal Court

"The condition and character of intending bidders may be enquired into, and the officer conducting the sale may at the time of sale refuse to receive the necessary deposit which gives the right to bid from persons regarding whom the result of such enquiries is not satisfactory. No former licensee who has been guilty of infringement of the terms of his license or of the Excise laws in force shall be entitled to bid".

Court without reference to the nature of the offence of which he is convicted. In the proposed notice the words "of such an offence" are inserted; the present text and the one proposed for insertion as below.

Present

"The officer conducting the "sale may at his discretion, "refuse to accept the bid of any "person on the ground that he "has been convicted by a "criminal Court or has previously been guilty of such a "breach of the conditions of a "license, or of a contract under "the Abkari / Opium Act, as to render "him undesirable as a holder of "a license or on the ground that he is insolvent or to prevent arrangements to the detriment of Government interests or

Proposed

"The officer conducting the sale may at his discretion and without assigning any reason refuse to accept the bid of any person on the ground that he has been convicted by a Criminal Court of such an offence as has been guilty of such a breach of the conditions of a license or of a contract under the provisions of Opium Act as to render him undesirable as a holder of a license or on the ground that he is insolvent or to prevent arrangements to the detriment of Government interests or for any other valid reason.

"for any other valid reason"

7 A formal order of confirma-tion is not now recorded by the Deputy Commissioners in sales conducted by them. It is necessary that a note of confir-mation should be recorded and a provision is according-ly made in the notice.

8 At present the accepted bid-der at the close of the day's sale is required to pay a sum of money as noted in the mar-gen. In view to secure unifor--mity of procedure, the payment of a half months rent, in addi-tion to initial deposits is proposed

9 The present rule requiring the deposit of three months rent in the case of toddy shops injurious-ly affects the shop rentals. In the

The amount to be deducted for the present purpose should be fixed at 1/2 months rent

Toddy Vend Purchaser	-	1/2 months rent
Arrack Separate shop purchaser	}	5/8 do
Ganja Shop	- do -	5/8 do
Arrack Vend Farm purchaser	-	3/5 do

All right but the effects all Vendors but Toddy Shop keepers will therefore be affected

the Tenimur District deposit of three months' rental, while being demanded by the Deputy Commissioner in accordance with the terms of the Notification could not be made by the accepted bidders, and therefore the Excise Commissioner had to visit those Taluks and to suggest to the Deputy Commissioner the necessity of accepting two months rental. It is accordingly proposed to insist on the deposit of only two months rent as in the case of arrack. Provision is made for the refund of such portion of the initial deposit as is in excess of the amount of two months' rental to be deposited by the accepted bidder.

10 The clause laying down that the purchaser of the exclusive

privilege of an Excise item as also his surety shall exe cute an agreement binding himself and so much of his moveable and immoveable property has slightly been modified by investing the Deputy Commissioner with power to grant exemption e from such agreements so that the Rule may be render- -ed popular.

11. In the case of the rentals of Jatra Shops it is provided that it should be paid before the commencement and not after the close of the Jatra, e when the chances of recovering it in case of failure will be very few.

12. The clause in the Arrack Vend

The Excise Comm. thinks that a personal agreement is unobjectionable. The Excise power of these read "The provisions hereof and except exempted

sufficient. Clause rule recorded

vend Farm notice which permits the forfeited deposits being deducted from the loss arising from resale is extended to all items.

13. It is laid down that the accepted bidder should leave his address with the sale conducting officer so that the latter may communicate the confirmation of sale by means of a notice. The mode of service of such notice is also prescribed This measure is found necessary to avoid delay extending over months in finding out the successful bidders and getting the required deposit and engagements from them and to guard against the preferment of claims to remission on the

ground that the party had no notice of the confirmation of sale.

Conditions of license.

14 A clause requiring that the sales under each license must be in different premises is inserted. This will not be applicable to two or more foreign liquor licenses held by one person or to licenses for the vend of Ganja and Opium

Section recast as amended: Verify

15. The words "bad characters" in the license being indefinite, the words "no robbers or thieves or disorderly or riotous persons" are copied from the Madras notice

All cases of persons - shall cease to be licensed provided as hitherto

16. The clause no person shall be harboured in any shop during night is inserted.

17. The power of ordering the closing of shops on or adjacent to the line of march of troops is extended to the Assistant Commissioner in charge of the Taluk. This is necessary to avoid references and delay.

18. The right of issuing licenses for the opening of temporary Shops is reserved.

19. A condition prohibiting the sale of liquor or intoxicating drugs to insane persons is newly inserted

20. The provision in the Toddy Shop license that the licensee shall not sell or sublet or transfer his shop or group of shops is now extended to shops of all kinds.

21. The present rule that the

licensee of toddy shop shall not during the term of licence have any interest in the exclusive privilege of vending arrack within the taluk in which his shop is situated bidders. The words "within five miles" are therefore substituted for "taluk".

The previous prohibition in rule 6 (c) was accepted at the discussion held on the 6th December 1915 and is now embodied in rule 22 (c).

X 22 Experience has shown that the persons having interest in abkari or opium license in the civil and military station Bangalore, should be debarred from taking up any Excise privilege in the Mysore State except with the permission of the Excise Commissioner. A condition to this effect is added in

Delete / Para 16 of the Draft Notification

the proposed notice.

As the Madras Government fixed the retail minimum price of ganja at two annas a tola, the same fixed rate two annas is proposed for Mysore. At the present Mysore rate is one anna and as it to be doubled to keep it uniform with the minimum rate in Madras according to notion of the Madras Abkari Commissioner as demi-offi- cially reported. any further ly with regard to the Ven- ors adopting optional rates retail higher than two annas is considered unsafe coparadizing revenue therefore a fixed rate is proposed. A formal reference

reference on the subject will separately be made.

24 The writing of short accounts in ink is made necessary and provision is made for the licensees handing over their accounts to the local Excise officers at the close of their lease. This is necessary for the future guidance of our Excise officers in valuing shop

25. Much difficulty is now felt especially in Malnad and Semimalnad Taluks, by the licensees in making payments in taluk treasury alone, of rents, fees and taxes which are small in amount they pay money to Excise officers which is opposed to standing orders in order to avoid the

ouble of going to Salide —
easury for such small
ns. In view to put a —
to this, and also to af-
l facilities to licensees a
se is added permitting
ty Commissioners to
orize Patels of villages
are not licensees under
ise. Act to receive fro
not exceeding 50 Rs
ime.

th present, the date from
sale of a privilege.
take effect against the
ter is not specifically
in the License. The
with effect from the
issue of license to the
chaser" are inserted
roposed notice.

2.

#27 The condition in the Ganja sale notice that if the amount of purchase be less than 12 Rs it shall be paid up in not more than three instalments does not fix the period of payment. The word "quarterly" is inserted and the condition is made applicable to all items of Excise.

28 A provision against the employment by Licensees of persons convicted under the Indian Penal Code being necessary the same is inserted in the notice

29 There being demand in the mofussil Talukks for Special liquors manufactured in the Central Distillery, a provision with

Conditions Special to Arrack Licenses.

with some restrictions is made
for their sale by arrack —
Vendors and their strength
is left to be determined
by the Excise Commissioner
as it will have to be deter-
-mined from time to time,
having regard to the cheap
foreign liquors which are now
being clandestinely smuggled
and used by the people in some
of the Malwad Talukas. The
present provision is intended
to supplant the cheap foreign
liquor from these rural parts
and the advantage is as ex-
-plained in my letter No. 6736/264
of 25th instant, that while we

get no duty on the consumed
foreign liquor use on the other
hand get the prescribed duty
on Distilling special liquors
as they go on supplanting fo-
reign liquor which gives us
only an insignificant license
fee.

30. As regards the prices of
these Distilling special liquors
the manufacturers are given
liberty to fix their own prices
on them. The prices to be
charged by the retail vend
will therefore have to be det-
by the Excise Commissioners
having regard to the rate
of profit to be allowed the
retailer.

31. In connection with the
offi

The Excise Commissioners
Rebel-enforced off the
prices charged by
the Free-state Liquor
Dealers in
Dublin to
prevent them
from the
black prices -

officers to receive payment of
the price and duty of arrack e
provision is made to enable e
deputy Commissioners to e
authorize any selected village
official i.e Patél to receive
payment when such a course
is found convenient in the
opinion of the Deputy Commissioner

32 The sale of Jaggory Spirit
is made general throughout
the State. The restriction that
it should be sold in parti-
cular Taluks is removed.

3. The clause VII in the Ganja
etail license requiring that
e value of all drugs sold
uld remain in the till
t ready for production
the Excise officers

conditions applicable
Ganja and Opium lice

Stock is omitted as impracticable.

34. The Madras clause that no female shall be employed in the sale of intoxicating drugs is introduced Reasons are obvious.

✓ Subsidiary like rule

Conditions Special to Toddy License.

35. The ~~toddy~~ rent and local cess ~~thereon and on toddy tax~~ of toddy tree tax are now payable by two instalments i.e. 1/3 with application for T.D. License and then 2/3rds. This entails unnecessary labour in the preparation of accounts and in recovery also. The amount being generally small it is provided that the whole amount should be paid at the time of application for tapping

✓ Should like rule

(1) ~~toddy~~ tree tax
(2) L. clip on toddy tree
(3) L-clip on toddy tree

at once

Toddy tree tax 1/3 + 2/3 at

ipping license.

. It has been brought to
tice that the payment of the
ole amount of tree-tax with
application if the number
Date, Cocoanut and Palmyra
es applied for be 10 or less
an 10 and Dadasal trees
5 or less, works hard upon
opkeepers who are poor. This
ndition is therefore removed
nd the amount is made
ayable in two instalments
whether the number of trees
is large or small.

7. The second instalment
tree-tax is payable on the

and an explanation has to be submitted in each case - while no explanation is forth-coming: It may therefore be made payable on the 1st of the third month from the date of application so that in the event of default steps may be taken and the money recovered before the end of the months. This accords with the practice in Madras and is therefore proposed in the notice

Arrears of second month's rent is to be an arrear. It will not be possible to take action for the following month's rent

(cancelled rule)

38. The conditions applicable to the Shop Keepers in British Territory applying for trees in Mysore are omitted.

Mysore Excise Department.

Notification

No. dated

It is hereby notified by the Government of His Highness the Maharajah of Mysore that the exclusive privilege of vending liquor (Viz—. arrack country beer and toddy and opium and other intoxicating drugs in each of the shops specified in the appended Schedules during the 12 months beginning from 1st July 1904 and ending with 30th June 1905 will be put up in public auction at upset prices at the places and on the dates mentioned in the said schedules by the respective Deputy Commissioners or by Revenue Assistant Commissioners or by Divisional officers of the Excise Department, or by other officers specially authorized by the Deputy Commissioners for the purpose, subject to the conditions herein after set forth.

Conditions of auction sale.

(1) If the sales are not completed on the days mentioned in the schedules, they will be continued on the next following days (Sundays & holidays excepted).

(2) Should there be no bids for any shop singly the officer conducting the sale may in consultation with the Excise Divisional officer, if present, club together more than one shop & if necessary various shops for which there may at present be no bids for disposal hereafter. He may settle prices in any particular case by means of tenders or private negotiation. [The privilege of selling toddy in any toddy shop that may be sold to the planters for a fixed amount not less than 12 Rupees per shop per annum.]

(3). The toddy shops in limited villages shall be disposed of.

(4). Should there be no bid above the upset price the officer conducting the

(4) may lower the upset price at his discretion.

(5). A deposit in cash must be made by each bidder previous to bidding and will be received if offered at any time within 3 days previous to the date of sale. The amount of deposit to be ordinarily made in the case of each kind of liquor is noted below:—

	Bangalore and Mysore cities Rs	Kolar Gold Fields. Rs	Other places. Rs.
Arrack.	25	60	10
Toddy	25	25	10
Opium and intoxicating drugs.	5	5	5
Country beer	100	250	4

The officer conducting the sales may fix such other amount, as he may consider reasonable, (provided that the Government may, at any time dispense with such initial deposit)

(6) Parties intending to bid must attend either in person or by duly authorized agents.

(7) The officer conducting the sale may, at his discretion and without assigning any reason, refus-

jus to accept the bid of
ny person on the ground
at he has been convicted
y a Criminal Court of
uch an offence, or has
en guilty of such a breach
- the conditions of a license
r of a contract under the
ese Regulations, or if in the
o to render him undesirable
o a holder of a licence, or on
e ground that he is insolvent
- to prevent arrangements
e detriment of Government
ests or for any other
ch reason.

he shop shall be knocked
own in the name of
ore than one person or
mpany or firm duly
presented.

e selling officer shall refuse
egister as a purchaser
y one in whose name the
ding has not preceded.

e shop or group of shops
ll be knocked down to
e highest bidder but the
e will be subject to formal
nfirmation. - - - - -

(3) Commissioner, who shall be at liberty to accept or reject any bid at his discretion without assigning reasons for the same Such formal confirmation will be tantamount to an acceptance of the bid unless revised by Government for special reasons, and will be necessary whether the sale be held by the Deputy Commissioner or by any other officer appointed by him.

(11) As soon as possible, after the auction is completed, the deposits made by the unsuccessful bidders if not forfeited as hereinafter provided shall be returned to them As the auction proceeds each person whose bid is accepted shall at once, if so required by the selling officer otherwise, at the close of the day's sale, make a further deposit of a half month's rent (in addition to the deposit made under clause 5) for

each shop or group of shops unless the initial deposit equals or exceeds two months rent. Should he fail to do so, the deposit made by him under clause 5 will be forfeited, and the shop or group of shops will be put up again on the above conditions or otherwise disposed of, as the Estate Commissioner or the conducting officer may determine.

12. Persons to whom shops or groups of shops have been knocked down, and who has made deposits as provided in clauses 5 and 11, shall be required to have his address with the said conducting officer in order that the confirmation of the said may be communicated to that address by notice, and he shall, within 7 days after the issue of the said notice by it pay the balance of the purchase or any adult male member in the place of said child or by its issue

(4) thereto or by its forwarded duly registered by post, pay at the taluq Treasury concerned such further sum as with the former deposits will make up two months rent and execute at the same time before the Amildar the necessary engagements and take out licenses on the conditions herein after set forth. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs and assigns. Should the initial deposit exceed the sum required to be deposited under this clause, the excess will be refunded unless the purchaser is required to deposit twice that sum under clause 14 infra.

(13) The deposit made under the preceding clause shall be either in cash or in other Government of India Securities duly endorsed

in favour of the Deputy Commissioner. Provided that in cases where the monthly rent exceeds Rs.10/- (in lieu of deposit of 2 months rent as above) the Deputy Commissioner may, in his discretion, allow any person to deposit one months rent as above, and to furnish approved personal security for an amount equal to 4 months rent. In all cases where the monthly rent does not exceed Rs.10/- a cash deposit equal to 2 months rent shall in every case be taken and no personal security shall be accepted.

If on enquiry subsequent to sale, the purchaser shall be found to be of doubtful solvency or a foreigner having no property in the Mysore State, he may be required to deposit twice the sum specified in clause 12 supra, or to get a surety or sureties residents of and possessing property in Mysore

(5) to execute a security bond for the due payment of all the moneys that may become due by him under the terms of the contract.

(15) Unless exempted by the Deputy Commissioner by an order duly recorded, the purchaser shall execute an agreement binding himself, and so much of his movable and immovable property as may be deemed sufficient to observe the conditions herein-after set forth as well as those specified in the license to be issued to him and his surety or sureties, if any, have been accepted, shall also execute a bond in the prescribed form binding himself or them-selves and so much of his or their movable and immovable property as may be deemed sufficient by the Deputy Commissioner for the due fulfilment by the purchaser of the terms of his agreement. The agreement

to executed shall be stamped and registered at the expense of the purchaser. The registration is compulsory where the amount secured is Rs 100/- and above.

(16) On the failure of any person to make deposit under clauses 11 and 12 supra or to comply with the requisition under clause 14 supra or to execute agreements and to take out licenses as aforesaid, the deposits already made may be forfeited, and the crops or group of crops raised or otherwise disposed of at the discretion of the Deputy Commissioner.

Crops effected under clauses 11 and 15 will be at the risk of the defaulting bidder who will forfeit all gain and in the event of a loss will be required to make good the difference between the total amount payable for the whole period under the terms of the

and the total 35 amount realized by the resale. In the latter case the forfeited deposits will be deducted from the loss arising from the Resale, and the remainder if any, will be recoverable from the defaulter in the same manner as if it were an arrear of Land Revenue. Should however the forfeited deposit be greater than the loss by resale, the whole of such deposit will be credited to Government the defaulting bidder will be similarly liable if the privilege is disposed of otherwise than by resale, and such disposal results in loss to government as compared with the original sale.

18) The purchaser of the privilege is liable to the penalties prescribed for breaches of the conditions set forth below, though a formal license may not

not have been issued to him.

9) The deposit referred to in clause 12 or 14 as the case may be, will be taken as security for the due performance of the conditions of the licence and shall if not forfeited or credited or otherwise disposed of be credited towards the last instalments due in the last two months of the period of term.

Special conditions applicable to all licences.

1. The manufacturers of sweets or double distilled or rectified country spirits or other special liquors, and the Government Contractors for the cultivation and supply of ganja as well as the licences of the sweets and ganja bonded depots, are prohibited from holding any interest in the retail vend of the above mentioned spirits or ganja or any preparation thereof or from entering into

(7) who has such interest 37

2. Sales must be conducted in a suitable building. It shall have only one door and ~~[illegible]~~ no windows shall be allowed to the rear or ends of the building. The bar where the liquor is sold from shall be opposite to the entrance door, and so situated that all persons inside can be seen by any one passing to and fro in the street, and no secret room or closet under the bar shall be allowed to be kept open for customers. The use of boxes, screens &c to conceal the scale and weights &c in the shop for the vend of ganja or other intoxicating drugs from the eye of the public shall be, and are hereby interdicted.

Dee foot sales or sales

in the case of the disposal of toddy in any other manner is by the Rules or strictly prohibited. Provided however that in regard to the license, who has purchased the right of tree of Bejani toddy, may permit the tapping of Bejani trees for domestic consumption as well as for sale within the limits of the village purchased by him.

3. License holder or manager or vendors shall not remove from the following quantity of liquor or intoxicating drug to be drunk or consumed by the same or at the same time in their premises.

Arack. 2 drams.

Toddy. 3 seers or 3 bottles quart.

Ganja [illegible]

(8) Ganja 4 Dolas.

4. A sign board must be affixed to the front of each shop — showing the nature and number of the license under which sales are conducted there the name of the licensee and the current rate of sale. These particulars must be legibly painted in the local vernacular and in the case of Beer Taverns in English also. The license must be hung up in a conspicuous place within.

5. All liquor, opium and intoxicating drugs sold or kept for sale shall be of good quality

and maintained.

Nothing shall be added to them either to increase their intoxicating power or for any other purpose except the manufacture of intoxicating drugs in accordance with the terms of license. The officers authorized to inspect wines are authorized to obtain any liquor from intoxicating ones found fit for consumption - use and all Deputy Commissioners and Excise Commissioners, Deputy Excise Commissioners and Excise Officers and Commissioners shall

(9'

Such.

6. The sale or transport of liquor or opium or intoxicating drugs by persons suffering from leprosy or any contagious disease and the employment of such persons in shops for the sale of the same are prohibited.

7. No depôt or shop shall be opened before sun rise or kept open after 9 P. m except under special authority.

8. No drunkenness, disorder or gaming shall

shall be permitted in shops.

9. No robbers or thieves or disorderly or riotous persons or prostitutes or rogues or others known or believed to be dealers shall be harboured in shops Intimation of their resort there shall be given to the nearest Magistrate or Police Officer.

10. No person shall be harboured in any shop during the night

11. Shops situated on or adjacent to the line of march must be closed

(10) Commissioner or the Assistant Commissioner in charge of the Taluq so orders, while a regiment or detachment of European or native soldiers is passing or is encamped in the vicinity.

12. Deputy Commissioners may with the permission of the Excise Commissioner order the opening of new shops and the transfer of shops from one locality to another provided the distance is not more than 200 yards in which case the Deputy Commissioner may himself

(10) Commissioner or the Assistant Commissioner in charge of the Taluq so orders, while a regiment or detachment of European or native soldiers is passing or is encamped in the vicinity

12. Deputy Commissioner may with the permission of the Excise Commissioner order the opening of new shops and the transfer of shops from one locality to another, provided the distance is not more than 200 yards in which case the Deputy Commissioner may himself

off under the hammer.
. The right is reserved
e deputy commissioner
and occasional
ces for the sale of
or opium and is
reading drugs to
the occurrence
fairs. festivals to be
laces in the vicinity
which there are no
spirituously licensed shops.
ese licenses shall
ordinarily be granted
the shop keepers who
ually supply the
ocality. Their period
hall not exceed 15 days
and the fee to be
paid therefor shall be
fixed at the Deputy
Commissioner's discretion

(11) 14 No liquor opium or intoxicating drug — shall be sold or given:-
(a) without the permission in writing of the Commanding Officer or any person authorized by him to any
(1) European non-commissioned Officer, private or soldier
(2) European or Eurasian Camp follower.
(3) Member of the families of any of the aforesaid persons.
(b) whilst on duty to any
(1) European or Eurasian sailor.
(2) Sepoy, member of the Police force or Excise staff.
(3) Servant of a Railway Company, or
(c) in any circumstances to any (1) European Vagrant under

(12). from the date of execution

16. No licensee of the privilege hereby sold shall without the written permission of the Excise Commissioner possess any interest in any liquor or Opium or intoxicating drug licensed in any foreign State or in any Districts of the Madras or Bombay Presidency or in the Civil and Military Station Bangalore. Nor will the holder of a toddy shop license be allowed to have any interest in the sale of arrack within 5 miles from it or vice versa.

17. Shops must be kept open unless their temporary

(12). from the date of execution

16. No licensee of the privilege hereby sold shall without the written permission of the Excise Commissioner possess any interest in any liquor or Opium or intoxicating drug licensed in any foreign State or in any Districts of the Madras or Bombay Presidency or in the Civil and Military Stations Bangalore Nor will the holder of a toddy shop license be allowed to have any interest in the sale of arrack within 5 miles from it or vice versa.

17. Shops must be kept open unless their temporary

temporary or permanent closure is authorized by the Deputy Commissioner and the following supply of arrack, Opium or intoxicating drugs or such supply as the Excise Assistant Commissioner may consider sufficient to meet local requirements must be maintained therein

	Arrack Gallons	Opium tolas	Ganja tolas	Toddy
1. At all District Headquarters	2	24	48	As may be fixed by the Excise Divisional Officer
2. At all Taluk & Depot Stations	1	6	24	
3. Village Shops within 3 miles from the Depot	1/2	3	12	
4. Village Shops more than 5 miles distant from Depot	Stock equal to one day's sale for every 10 miles from depot and not less than the stock fixed for shops within 5 miles of the Depot.			

Shops

(3) Shops not opened or managed with due care and diligence shall be leable to be revoked at the risk of the licensee.

18. No liquor, Opium or intoxicating drug shall be sold in shops except for cash. The licensee shall be bound to give intimation of the offer of anything other than Cash to the nearest Magistrate or Police Officer.

19. No liquor, Opium or intoxicating drug shall be sold either below or above the price given hereunder.

Molasses arrack per dram	0-2-0
Jaggory arrack per bottle	1-3-4
Toddy According to local rates as per Schedule	
Ganja per tola	0-2-0
Opium per tola	0-7-6

Country

Country Beer per Reputed Pint - } 0-2-0

20. Voliquor Opium or intoxicating drug in excess of the quantity hereunder prescribed for possession without a license shall be permitted to be removed by any person at any one time from any licensed premises or without a valid permit

Arrack - One reputed quart bottle.

Toddy - Two seers or imperial quarts

Opium or preparation therefrom = 3 Tolas.

Ganja — = 4 Tolas

Bhang - One Imperial quart.

21. True accounts of transactions shall be maintained.

(141) maintained from day to day in ink in the prescribed form. The accounts and permits shall be in printed books which may be obtained from local Excise Officers on payment of cost price. Permits for liquor, opium, and intoxicating drugs received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved and delivered to the local Excise Officer immediately after the close of the lease. They shall.

-shall be produced --
when asked for by the
Deputy Commissioner or
any Officer appointed
by him or by an Excise
Officer not below the
rank of an Excise Assis
-tant Inspector. Such
returns and informa
-tions, as may be re-
quired by the Deputy
-Commissioner or Excise
Officer not below the
rank of Assistant Inspect.
-shall be furnished by
holders of licenses with
-out delay.

21. Only such weights
and measures as may
from time to time be
prescribed by the Excise
-Commissioner shall be
possessed or used on any
licensed

(75) licensed premises. The possession or use of weights or measures that are in connect on any licensed premises will render the licensee liable to punishment. The Officers authorized to inspect licensed shops are empowered to enter and examine the premises, to test weights and measures in use and the liquor Opium and narcotic or intoxicating drugs under sale and to call for and Check the accounts kept in the shop

23. An inspection notebook with the pages numbered consecutively for inspecting Officers to enter their remarks in shall be maintained and be handed

handed over to the Excise
Inspector in Charge of
the Range or any Officer
authorized by him to
receive it on a receipt
being given therefor.
24. The amount for which
the privilege has been
purchased shall be
payable in 12 equal
monthly instalments
into a Government
Treasury on the printed
Chellans on or before
the 20th of each month
beginning with July
1904. No amount should
be paid to the Excise Officers
In the malwad and
semi-malwad Talukas
the Deputy Commissioner
may permit Patels of
villages who are not
licensees of any of the
privileges sold for realising
amount

(161 amounts not exceeding
50 Rs at a time

Note The licensee of
a Jatra Shop shall pay
the rent thereof in full
before the Jatra begins

25 No remission or
abatement of the rent
shall be claimable
on any account what
ever

26. Any sum due by
a licensee may be
collected under the
Rules for the recovery
of land revenue

27 Power is further
reserved to the Amildars
with the sanction of
the Deputy Commissioner
to suspend licenses in
case of failure of
payment of Kists
or in the case of Toddy

Trees

treetax also on the due dates.

28. In the event of any suspension of a license for failure to pay arrears, the privilege of sale will be resold with effect from the date of issue of license to the new purchaser, or otherwise disposed of at the Deputy Commissioner's discretion. All losses on account of suspension and resale and other disposal of the privilege shall be borne by the defaulting licensee, but he shall have no right to gain if any which may accrue the whole of the deposit made

(17) made at the Commencement
of the lease will be
liable to forfeiture & the
may at the discretion
of the Deputy Commissioner
be appropriated towards
the arrears due by the
defaulter as well as
towards the deficits if
any arising from
the resale or otherwise
disposal of the privilege
29. The balance of such
arrears of deficits if
any shall be recoverable
from the licensee under
the rules in force for
the recovery of arrears
of land revenue
30 The Officer who has
power to suspend the
license may however
as he's discretion allow

Sales

Sales to continue pending
resale or other disposal
of the privilege.
31 Interests on all
moneys due shall be
payable at the rate
of 6 per cent per annum.
32. If the amount for
which the privilege
has been purchased be
less than Rs 12/- per annum
it shall be paid up
in not more than
3 quarterly instalments
33. Infraction of any
of the conditions of the
license either by a
licensee or by any person
in his employment
will entail on the licensee
a fine up to Rs 50/-,
forfeitures of deposits
and cancellation of
license and resale or
other

(18) other disposal of the
privilege at the risk of
the licensee. The licensee
or his agent or employees
may be also prosecuted
for the Specific Offence
Committed Thereby
for the whole lease shall
become due at once
when a lease is cancelled
under this condition

Note :- For Continuing
breaches of a license
Continuing fines
may be imposed

Any license may be
forfeited and the privi-
lege be resold or other
wise disposed of at
the risk of the licensee
of the licensee be con
victed before a
Magistrate of any
Offence

Offence against the
Opium Act or Excise
Regulation or of any
Offence under any
other law in force
which in the Deputy
Commissioners
Opinion renders him
unfit to hold it.

34 Licensees are bound to report to the Deputy Commissioner all instances which come to their knowledge of persons employed by them in the manufacture carriage or sale of liquor opium and intoxicating drugs committing breaches of the Excise Regulation or opium act, or of engagements entered into by them, and to Comply with the Deputy Commissioners orders respecting the continued employment of such persons No person who has been convicted of any heinous offence under the Penal Code shall be employed in the carriage or sale of liquor, opium and intoxicating drugs without the Deputy Commissioners previous permission

35 Pecuniary dealings by licensees of any kind whatever

whatever with the officials of the Excise Department are absolutely prohibited.

36. With the sanction of the Excise Commissioner, any license shall be revocable by the Deputy Commissioner at his discretion on giving the licensee 15 days notice of such revocation; in which case a proportionate part of the rent paid shall be refunded.

37. All licensees shall be bound by any additional general rules that may be prescribed under the Excise Regulation or Opium Act, and, if so required by the Deputy Commissioner or any officer authorized by him, to deliver up their licenses for amendment or for the issue of fresh ones.

38. Resignation of shops in

(20) in whole or in part will be summarily rejected by the Deputy Commissioner.

39. The licensee shall be bound to take over any liquor, opium or intoxicating drug which may remain as stock in hand belonging to the outgoing licensee on 1st July 1904, paying to the outgoing licensee such Compensation for the same, as may be fixed by the Excise Commissioner.

40 No consignments of liquor ie arrack and country beer received at the shop and which has been transported through British Territory, shall be opened before they have been verified by authorized officers.

Conditions applicable to arrack licensees.

(1) The privilege extended

to

to the sale of arrack supplied by Government only, ordinarily of the strength of 20° U.P., and with the special permission of the Deputy Commissioner or other officer authorized by him to the sale of arrack of 30° U.P.

(2) In places where there are no shops for the vend of Foreign Liquors or where the Foreign-liquor shop-keepers do not undertake to sell the double distilled or rectified Country Spirits and other Special liquors, such as brandy, whisky, gin &c. of such strength as may be fixed by the Excise Commissioner, manufactured at the Government Central Distillery, Bangalore, the holder of an arrack shop license of approved character may

(21) may with the sanction of the Excise Commissioner, be permitted to sell the same in duly corked sealed bottles, not to be drunk on the premises at such prices as may be notified by the Excise Commissioner.

(3) The license holder shall purchase from the Bonded depôts established molasses arrack at 8½ annas per gallon of 20 U.P. and Jaggory arrack in corked sealed bottles at Rs 1-6-6 per gallon of 20° U.P and also Special liquors as referred to in the above condition at such price as may be fixed by the manufacturers

(4) The rate payable as above for molasses and Jaggory arrack and also Special liquors shall be in addition to Excise duty which shall be at Rs 4-3/4 (including

including local cess) per gallon of 20° U.P., and proportionately for lower strengths.

(5) The licensee who gets his supplies from a Bonded Depôt shall pay both the price and duty into the Taluk Treasury, or to the Special Shroff, if any located in the Taluk Cutchery to receive such duty and price daily including Sundays and holidays or to any other officer as may be appointed by the Deputy Commissioner, and obtain a receipt and produce it with an indent for the supply of the quantity of arrack and special liquors covered by it, to the Bonded Depôt keeper who shall issue the said quantity.

(6) The arrack and Special liquors issued to licensed shops shall be covered by the prescribed permits.

(7) The licensee of every arrack Shop in the cities of Bangalore and Mysore shall pay a registration fee of Rs 180 under the Municipal Regulation and shall also pay a fee of 4 annas per gallon on arrack sold by him in excess of 55 gallons per month in each Shop.

(8). No water or other beverage or liquor other than arrack and Special liquors above referred to, of any quality whatever shall be kept or sold in the shop in which arrack or Special liquor is sold or on the person or in possession of the licensee holder or Vendor or any of his employees in the shop.

shop.

(9) The licensee will have no claim to Compensation or remission on account of any arrangements which may be made by Government in regard to sale of Country Beer or other description of liquor than arrack.

(10). Persons who purchase group of shops may with the Special permission of the Excise Commissioner who is at liberty to refuse it, open a depôt and remove thereto liquor purchased from the Bonded Depôt and issue therefrom the requisite supply to his shops

(11) With the consignment of arrack from the Bonded depôt to Shops, Sample bottles shall be issued in such manner as

(23) as may be ordered by 66
the Excise Commissioner

Conditions applicable to Ganja and Opium Licenses.

(1) The privilege conferred extends only to the sale of Ganja and other intoxicating drugs prepared from the hemp plant except halva.

(2) The licensee shall purchase Ganja and majum or other preparations and admixtures of Ganja from any Bonded depôt in the Mysore State at the rates of 0-13-4 and 0-5-4 respectively per seer of 80 tolas of Ganja and majum and shall pay the price to the Mutsaddy in charge of the Bonded depôt, and the duty at the rates of 3-6-8 and 0-11-8 respectively per seer of 80 tolas

Tolas of Ganja and Majum into the local Government Treasury.

(3) No females shall be employed in the sale of intoxicating drugs.

(4) Halva may be made from the powder on the retail Vendor's hands under authority of the Excise Inspector for sale to the public and on the responsibility and at the risk of the Vendor.

(5) In the case of holders of itinerating licenses (Ganja or Opium) granted for Jatras &c, the license permit and shop account books shall be taken first to the Amildar, if the place is a Taluk Kasba and also to the Police Station Officer and in all other places to the Village Patel.

These

(24) These officers on satisfying themselves as to the identity of the party producing them with the party named in the license shall forthwith permit him to sell the same and take steps that the rules on the subject are not infringed.

(6) The opium in quantities of not less than 24 Tolas shall be purchased at the prescribed rate of 6¼ annas per Tola by license-holder or Vendor from a Government Treasury, or in any quantity from any other licensed Vendor, provided it be the in opium that had been purchased

purchased from the Government and none other, and the purchase in either case may be covered by a pass in the prescribed form. The bulk of the Consignment shall not be broken during transport.

(7). No items of food or drink shall be vended in any retail opium Shop.

(8). The license holder shall not permit the Consumption of opium or any admixture or preparation of opium in the Shop or on the premises, under any pretext whatever.

(9) Any preparations or admixtures of

opium

(25) opium and intoxicating drugs prepared from the poppy other than preparations or admixtures of opium used for smoking shall be kept duly labelled and offered for sale or sold bona-fide as such and duly accounted for in the shop accounts.

(10) The opium which has become duty can be utilized for the preparation of Madat which can be sold at the bar but should not be

Consumed

(Continued on the
premises under any
pretext whatever nor
sold publicly or
privately to any one
keeping "madat
khana" or any such
institutions under
any other name
whatsoever to smoke
or consume opium
or Ganja or any of
the preparations there
of. Madat purchased
by private individ-
uals may be con
sumed by them-
selves but not sold
to others.

Conditions applicable to Beer shop licenses

1. The privilege conferred by the license extends to the sale of country Beer or Porter brewed on the Nilgiris in breweries approved by Government or brewed by messrs Meatkin and Company, Kirke or by messrs Abraham and Gangadaraihetty and Company Bangalore or on any other Brewery approved by Government

2. Each tavern shall be maintained in or close to the existing tavern as described in the schedule hereto appended.

3. In the case of the tavern sold for such price per hogshead as may be accepted by the Deputy Commissioner the amount payable for each month on account of the number

number of hogsheads of
Beer or Porter sold shall
be payable to the Taluk
Treasury in the 1st week
of the following month
on the Chellan prescribed
for the purpose.

4. The licensee shall
further pay a duty of
2 annas for every gallon
of Country beer or porter
purchased by him

5. The consignment of
Country beer or porter
purchased by the licensee
shall be sent direct
from the brewery to the
office of the Amildar
of the Taluk. On the
duty at the above mentioned
rate being paid by
the licensee on the prescribed
Chellan the Amildar or
other officer authorized
by him shall allow
the licensee to remove the
consignment to his tavern

upon

upon a pass signed by the Amildar or other Officer authorized on this behalf

6. The licensee of every tavern at the Bangalore City shall pay a registration fee of Rs 18:0/- per annum under the Municipal Regulation in advance for the period of the license for his tavern.

7 Beer brought from the Commissariat Department and rejected by the military or other Departments shall not under any circumstances be

be forwarded for
sale at the tavern

8. The beer or porter
sold under this
license shall contain
75 per cent of malt
or any of the pre-
parations of malt
and 3 lbs of good
Kent hops per hogs-
head and shall
be of the same
quality and density
as purchased
from the Brewer
without dilution
or adulteration.

(28)

Conditions applicable to Toddy Licences

1. The exclusive privilege conferred by the licence extends to the vend of date, palmyra, cocoanut, Bagni and Dadasal toddy. But in tracts where both date and Bagni toddy shops exist the licensee of the date toddy shop shall not tap Bagni trees, and the licensee of the Bagni toddy shop shall not tap date trees; but both the licensees can tap cocoanut, palmyra or Dadasal trees.

2. The Deputy Commissioner shall be at liberty to issue licence for the sale of Foreign Liquor for the manufacture and sale of Country beer and for manufacture and sale of arrack and other Country spirits

3. Toddy required for sale in the shop may be obtained subject to tree-tax Rules from toddy-yielding trees

on the groves assigned to Licensee's shops or groups of shops or from the trees in private lands under private arrangements between himself and the owners of such lands, or purchased from any other licensed toddy shop-keeper with the permission of the Excise Inspector, who will grant the necessary permits on proof of the necessity for the same.

No toddy except the produce of trees, for the tapping of which a licence has been issued, and which have been marked by the proper officer, shall be kept on the shop, offered for sale or sold.

4. For the convenience of the licensee, application for free tapping licences will be received, trees will be marked, and licences will be issued during the 15 days and pots may be attached.

(29) to such marked trees
during the 8 days im-
mediately preceding the
period to which they
relate, to take effect
from the commencement
of such period, provided
that no toddy shall be
removed from the trees
except during the currency
of such licences.

5. In the case of date trees
applied for by the licensee
to be tapped, the licensee
should get the requisite
spaces on the stems of
such trees prepared,
so that they may be
easily marked by the
Excise Officer to whom
he or his agent shall
point out the trees applied
for by him. Should he
fail to do so after reason-
able notice, the tree-tax
and tree-rent paid by
him shall be liable to be
forfeited at the Deputy
Commissioner's discretion.

6. No tree shall be tapped,

nor

nor shall toddy be drawn from any tree, nor shall any pot be attached to any tree until the tree has been marked by the proper officer. But the removal of leaves for the purpose of making incisions and the preparation of spathes or incisions for the drawing of toddy is permitted as soon as the application in the prescribed form has been delivered to the Treasury concerned.

7. (1) The following shall be the fees payable on account of such tree, for the tapping of which a license is applied for:—

Description of trees	Rate of fees Rs. As. P	Local cess Rs. As. P
Date	1 — 2 — 0	0 — 1 — 0
Cocoanut	2 — 2 — 0	0 — 2 — 0
Palmyra	1 — 8 — 0	0 — 1 — 6
Kagni or Sago	1 — 8 — 0	0 — 1 — 6
Kadasal or Sirenga Wightii	0 — 8 — 0	0 — 0 — 6

(2) Fee levied at annas four per tree with local cess at three pies thereon

on

(30)

on all Government trees applied for being tapped for the supply of toddy shops, whether within or outside the Mysore territory or in the Civil and Military Station, Bangalore.

8 The tree-rent and the local cess thereon and on the tree tax shall be payable in full at the time of application for tapping license.

9 The tree tax shall be payable in the following instalments, unless the Excise Commissioner shall otherwise direct

Period within which license is applied for	Proportion of tree-tax to be paid at the time of application for license	Proportion of tree-tax to be paid on the 1st of the 3rd month i.e. on the 1st of the month next after the months following.
Between 1st July 1904 and 30th April 1905	One-third	The remaining two thirds.
Between 1st May 1905 and 30th June 1905.	The whole.	

10. Every instalment of tree-tax shall be paid on the first day of the month on which it falls due.

11. If any instalments are not paid within the time, the license shall be liable to be cancelled or suspended under section 26 of the Excise Regulation. In case of default, the Amildar with the Deputy Commissioner's permission will order the suspension of the tapping license till the arrears are paid up, and if after receiving notice of such suspension the renters continue to tap the trees, they will be prosecuted for illicit tapping.

12 The renters will be allowed to take out licenses to tap trees in the Madras Presidency, provided he pays the tree tax for them into a Bazpore Government Treasury in one instalment and subject to

tree-

(311) tree-tax and tree-tapping Rules in force in the Madras presidency

13. The licensee shall not interfere with the licensees for cutting date leaves for mat making, rope making, Basket making or for agricultural or other purposes when they make use of the trees assigned for such purposes and not reserved for tapping

14 The licensee shall employ only professional toddy drawers for tapping the trees.

15 No incision shall be made at any point within 3 feet from the ground or 1 foot from the base of the central wheels or 1 foot above the last incision.

Note:- The limits above prescribed may be reduced at the Excise Commissioners discretion

16. The incision shall not be cut to a greater depth than $\frac{1}{3}$ of the diameter

of

of the tree.

17. Trees tapped one year shall not ordinarily be tapped next year.

18. The central spike-like clusters shall not be touched. Of the lateral leaves not less than two layers of leaves shall be left, reckoning from the layers immediately next to the central clusters down to the top line of the incision; or in other words above the top line of the incision; not less than eight leaves shall be left excluding the central spike-like clusters, on that face of the tree on which the incision is made.

19. The licensee will not be entitled to compensation for any trees withdrawn or taken for public purposes.

20. The licensee will be liable to pay a fine of Rupee one for each tree in excess of 3 per cent of the number of trees marked for him, which may die from

(32) from over tapping or care
less tapping either during
the lease or within six
months after its expiration
21. When the licensee makes
the default, and his shop
is resold, his right to
and claims on Government
trees cease and determine
22. The distillation of
spirits from toddy is
absolutely prohibited.
23. The licensee shall pay
the usual Arrack Sayer
tax on carts used for
conveying toddy, but such
carts shall not be im=
pressed for Government
work.
24. In Bagai tracts the
licensee who has purchased
the right of rend of Bagai
toddy may permit the
tapping of Bagai trees
for domestic consumption
as well as for sale within
the limits of the village
purchased by him.

25.

25. In every grove where toddy-yielding trees are tapped a ladder shall always be kept by the tapmen to enable Excise Officers to examine incisions or spathes, as the case may be, or to measure the incisions.

26. If the licensee of a group of shops wishes to establish a depot for disposing toddy required for distribution to his shops, he shall obtain a licence for it in the prescribed form.

D. Ricardo

Excise Comm.

S.R. 6 D of 02
Sl 2

Proc of the Govt of Mysore
Finance Department

Read
Letter No 6737/265 dated 25/2/04
from the Excise Commr in Mysore
submitting for approval & publication
a draft notification for the sale of
Excise privileges for the Year 1904-05

629-39/Ex 7602
Order thereon

07 29/3/04 The Govt consider it preferable
to publish as hitherto a separate
notification of sale of each
of the privileges and accordingly
direct that on receipt of the
Sale notifications sent up by the Excise

Commissions the accompanying
separate notifications of sale of
Arrack & toddy shops be published
in the Mysore Gazette on three
successive issues of the Gazette
both in English & Kannada, the
weekly being published in the
first issue and a reference thereto
being made in the subsequent issue
in lieu of the charges of the weekly,
the Compiler of the Mysore Gazette is
requested to have the notifications
published in a Gazette Extraordinary
of the 30th instant or in the
Gazette of the 31st instant at the
latest in the weekly complete

The sale notifications in the Case of Ganja, opium & Country beer may be published by the Excise Commissioner as usual

2 The rules published under notifns Nos 11367/Ex.F 3-1907 & 11791/Ex.F 3-1907 & 8/1/02 & 17/1/02 respectively will be revised in conformity with the changes in the conditions of sale herein made in the above notifications & separately published

In future the Excise Commissioner is requested to obtain the sanction of Govt to the rules being altered & the alterations of the rules to the corresponding alterations proposed to be are introduced into the sale

Notifications

3. The Excise Commr is requested to submit reports on the results of the sales from the Dt officers and a final comprehensive report with the prescribed tabular statements before the end of the current financial year.

Sd/- illegible
29/3/04

4. The Excise Commr in front
The Commr of Stamps & the Secy of H.H. the Maharaja of Mysore
The Secretary of D.C.'s
The Compiler, Mysore Gazette

Herewith
Notification nos: 640 EE 702 + 641 EE 702 dt 29/3/04

S.R. 67 of 02-03
Sec 2.

1903-04

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

EXCISE

PROCEEDINGS

Dated 29th March 1904

No. 629-39 / Ex. F. 6-02

Approving and forwarding for publication the draft of sale notifications of certain Excise privileges.

SBP—30-3-04—400

SR 6 P 0203
SC 3

Proceedings of the Government of His Highness the Maharaja of Mysore, Excise, dated 29th March 1904.

READ:—

Letter No. 6737--265, dated 25th February 1904, from the Excise Commissioner in Mysore, submitting for approval and publication a single draft notification for the sale of Excise privileges for the year 1904-05.

No. 629-39—Ex. F. 6-02, DATED BANGALORE, 29TH MARCH 1904.

ORDER THEREON.—The Government consider it preferable to publish, as hitherto, a separate notification of sale of each of the privileges, and accordingly direct that, in lieu of the single notification sent up by the Excise Commissioner, the accompanying separate notifications of sale of arrack and toddy shops be published in the *Mysore Gazette* in three successive issues of the Gazette both in English and Kanarese, the schedules being published in the first issue and a reference thereto being made in the subsequent issues. In view of the urgency of the matter, the Compiler of the *Mysore Gazette* is requested to have the notifications published in a Gazette Extraordinary on the 30th instant or in the Gazette of the 31st instant at the latest, with the schedules complete. The sale notifications in the case of ganja, opium, and country beer may be published by the Excise Commissioner himself, as usual.

2. The rules published under Notifications Nos. 11387—Ex. F. 3-01 and 11791—Ex. F. 3-01, dated 8th January 1902 and 17th January 1902, respectively, will be revised in conformity with the changes in the conditions of sale newly made in the above notifications and separately published. In future, the Excise Commissioner is requested to obtain the sanction of Government to the rules being altered before the corresponding alterations are proposed to be introduced into the sale notifications.

3. The Excise Commissioner is requested to submit reports on the results of the sales from the District Officers and a general brief report with the prescribed tabular statements, before the end of the current official year.

V. R. THYAGARAJA IYER,
for *Offg. Secretary.*

To—The Excise Commissioner in Mysore.
The Comptroller in Mysore.
The Deputy Commissioners of Districts.
The Compiler, *Mysore Gazette.*

REVENUE.

SALE OF SEPARATE ARRACK SHOPS FOR 1904-05.

Notification No. 640—*Ex. F.* 7-1902, *dated* 29*th March* 1904.

1. Notice is hereby given that the exclusive right of selling Arrack in each of the separate shops specified in the appended schedule for the twelve months beginning with 1st July 1904, and ending with 30th June 1905, will be put up to public auction at upset prices, by the respective Deputy Commissioners or by Revenue Assistant Commissioners or by Divisional Officers of the Excise Department or other officers specially authorized by the Deputy Commissioners for the purpose, on the dates and at the places mentioned in the said schedule, subject to the conditions hereinafter set forth. If the sales are not completed on abovenamed days, they will be continued on the next following days. (Close holidays excepted.)

2. (*a*) Each bidder at the auction will deposit a sum of Rs. 60 for shops in the Kolar Gold Fields, Rs. 25 for those in the Mysore and Bangalore Cities and Rs. 10 for those in other places, or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding. It will, if offered, be received at any time within 3 days prior to the date of sale, provided that the Government may, at any time dispense with such initial deposit. The shops or group of shops will be knocked down to the approved highest bidder, subject to formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject any bid at his discretion without assigning reasons for the same. Such formal confirmation will, *unless revised by Government for special reasons*, be tantamount to an acceptance of the bid and will be necessary whether the sale be held by the Deputy Commissioner himself or by any other officer appointed by him. Parties intending to bid must attend either in person or by duly accredited agents. Should there be no bid above the upset price, for any shop singly, the officer conducting the sale may in consultation with the Excise Divisional officer, if present, club together more than one shop or, if necessary, reserve shops for which there may be no bids for disposal hereafter. He may, subject to formal confirmation of the Deputy Commissioner, sell the right in any particular case by means of tenders or by private negotiation. He may also

lower the upset price at his discretion. The officer conducting the sale may, at his discretion and without assigning any reason, refuse to accept the bid of any person, on the ground that he has been committed by a criminal court of such an offence, or has been guilty of such breach of the conditions of the license, or of a contract under the Excise Regulation or Opium Act, as to render him undesirable as a holder of a license or on the ground that he is insolvent, or in order to prevent arrangements to the detriment of Government interests or for any other valid reason.

(*b*) No shop shall be knocked down in the name of more than one person or of more than one company or firm duly represented. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

3. As soon as possible after the auction is completed, the deposits made by the unsuccessful bidders, if not forfeited as hereinafter provided, shall be returned to them. As the auction proceeds, each person whose bid is accepted shall at once, if so required by the selling officer or otherwise at the close of the day's sale, make a further deposit of a sum equal to half a month's rent for each shop or group of shops unless the initial deposit equals or exceeds two month's rent. The person to whom a shop or group of shops has been knocked down and who has made deposits as provided above, shall be required to leave his address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice, and he shall, within 7 days after the service of the said notice, by its presentation to himself or to any adult male member of his family at the place of the said address or by its being affixed thereto or by its forwardal, duly registered by post, deposit at the Taluk Treasury concerned such further sum as, with the former deposits, will make up an aggregate sum equal to two months' rent, and execute at the same time before the Amildar the necessary engagements and take out the necessary licenses as hereinafter set forth. Should the initial deposit exceed the sum required to be deposited under this clause, or the following clause the excess will be refunded to the purchaser. If, on enquiry subsequent to sale, the purchaser shall be found to be a foreigner having no property in the Mysore State, or to be of doubtful solvency, he may be required to deposit twice the prescribed sum or to get a surety or sureties, residents of and possessing property in the Mysore State, to execute a security bond for the due payment of *all moneys* that may become due by him under the terms of the contract.

4. The deposit made under the preceding clause shall be either in cash or in Government of India securities duly endorsed in favour of the Deputy Commissioner, provided that in cases where the monthly rent exceeds Rs. 10 in lieu of deposit of two months' rent as above), the Deputy Commissioner, may, in his discretion, allow any purchaser to deposit one month's rent as above, and to furnish approved personal security for an amount equal to four months' rent. In all cases where the monthly rent does not exceed Rs. 10, a cash deposit equal to two months' rent shall invariably be taken and no personal security shall be accepted.

5. If the purchaser fail to make any of the deposits above referred to, or to get the requisite surety or sureties, the deposits already made will be forfeited, the shop or group of shops will be immediately re-sold or otherwise disposed of under orders of the Deputy Commissioner or selling officer, and he will be debarred from bidding again for the same or for any other shop or group of shops.

6. The purchaser shall execute an agreement in the prescribed form, binding himself and, unless exempted by the Deputy Commissioner by an order duly recorded, so much of his movable and immovable property as may be deemed sufficient by the Deputy Commissioner, to observe the conditions hereinafter set forth, as well as those specified in the license to be issued to him; and his surety or sureties, if any have been accepted, shall also execute a bond in the prescribed form binding himself or themselves and so much of his or their movable or immovable property as may be deemed sufficient by the Deputy Commissioner for the due fulfilment by the purchaser of the terms of the agreement. The agreement and the bond so executed shall be stamped at the expense of the purchaser. They shall also be registered at his expense when the amount secured is Rs. 100 and above.

7. On the failure of any person to take out licenses or to execute agreements as aforesaid, all deposits already made shall be forfeited, and the shop or group of shops shall be re-sold, or be otherwise disposed of by the Deputy Commissioner at the risk and loss of the defaulting purchaser, who shall forfeit to the Government any desposit or deposits already made by him, and shall further be liable to make good any loss caused by such re-sale or other disposal, but shall not be entitled to any gain accruing from the re-sale or other disposal. In the case of loss the forfeited deposit may be deducted therefrom. In the case of the purchaser's death after confirmation of the sale, it will be binding on his heirs or assigns.

8. Re-sales or other disposal effected under para 5 will be at the risk of the defaulting bidder, who shall forfeit all gain; and in the event of a loss caused by re-sale or other disposal he shall make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale or other disposal. In the latter case, the forfeited deposit shall be deducted from the loss arising from the re-sale or other disposal, and the remainder, if any, shall be recoverd from the defaulter in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater than the loss by re-sale, the whole of such deposit shall be credited to Government.

9. The amount of rental, the consumption of each shop, etc., for several years past are specified in the appended schedule.

10. The license to be taken out under para 6 above, shall be subject to the following conditions, but nothing herein contained shall exempt the purchaser of the privilege from liability to the penalties prescribed for breaches of the conditions set forth below though a formal license may not have been issued :—

(1) (*a*) The privilege conferred by the license extends only to the sale of Arrack ordinarily of 20°, the strength of under-proof, and with the special permission of the Deputy Commissioner, or other officer authorized by him, to the sale of arrack of 30° under-proof. In places where there are no shops for the vend of foreign liquors or where the foreign liquor shop-keepers do not undertake to sell the double-distilled or rectified country spirits and special liquors, such as Brandy, Whisky, Gin, etc., of such strength as may be fixed by the Excise Commissioner, manufactured at the Government Central Distillery, Bangalore, the holder of Arrack shop license of approved character may, with the sanction of the Excise Commissioner, be permitted to sell the same in duly corked sealed bottles not to be drunk on the premises, at such prices as may be fixed by the Excise Commissioner.

(*b*) The manufacturers of arrack or double-distilled or rectified country spirits or other special liquors as well as the licensees of arrack Bonded Depots are prohibited from holding any interest in the retail vend of the abovementioned spirits or from employing any person who has such interest.

(2) (*a*) The amount for which the privilege has been purchased shall, if it exceeds Rs. 12 per annum, be payable into the local Taluk Treasury, in equal monthly instalment commencing from July 1904. But where it does not exceed Rs. 12 per annum. it shall be paid in not more than 3 equal quarterly instalments. Each instalment shall be regarded as the rent for the month or quarter in respect of which it is payable. The licensee is not required to make any additional payment on account of local cess. Each month's or quarterly rent shall be payable on or before the 20th of the same month or before the end of the quarter for which the instalment is due. If default is made, the Amildar may, with the sanction of the Deputy Commissioner, suspend or declare, by record in writing that the license is forfeited, and proceed to re-sell or otherwise dispose of the shop or group of shops (as soon after the last day of the month or quarter as may be possible), with effect from the date of issue of license to the new purchaser or from the date of other disposal. The officer who has power to suspend license may, however, at his discretion, allow sales to continue pending re-sale or other disposal of the privilege.

Note :—The licensee of a Jatra shop shall pay the rent thereof in full before the Jatra begins.

(*b*) The deposit made by the licensee shall be taken as security for the due performance of the conditions of the license and if not forfeited, credited or otherwise disposed of, shall be credited in payment of the instalment due in the last two months of the period of the lease. Provided, however, that where the shop or group of shops is re-sold, or otherwise disposed of, the deposit shall, at the discretion of the Deputy Commissioner, be either forfeited or be appropriated towards the arrears due by the defaulter, as well as towards the deficits, if any, arising from the re-sale or other disposal of the shop or group of shops. The balance of such arrears and deficits, if any, shall be recoverable from the licensee under the rules in force for the recovery of arrears of land revenue. No remission or abatement of the rent or compensation shall, on any account whatever, be claimable by the licensee.

(*c*) Interest at 6 per cent per annum shall be recoverable on all arrears from the date of default, and on deficits from the date of re-sale or other disposal.

(3) (*a*) The licensee shall purchase from the Bonded Depots established molasses arrack at 8½ annas per gallon of 20° U. P., jaggory arrack in duly corked sealed bottles at Rs. 1-6-6, and also special liquors referred to above, at such prices as may be fixed by the manufacturers.

(*b*) The licensee shall sell Molasses Arrack to the public at Rs. 6-6-0 per gallon of 20° U. P. (*i.e.*, at annas 2 per dram, which is equal to $\frac{1}{81}$st part of a gallon) and jaggory arrack at Rs. 1-3-10 per reputed quart bottle and at proportionate rates for lower strength.

(4) The licensee of every shop in the cities of Bangalore and Mysore shall pay a registration fee under the Municipal Regulation at the rate of Rs. 180 per annum in advance for the period of the license for his shop; and he shall pay also a license fee of 4 annas per gallon on all Arrack sold by him in excess of 55 gallons a month in each such shop.

(5) The above rates to be charged for molasses arrack, jaggory arrack, double-distilled or rectified country spirits or other special liquors by the manufactures, and the above fee are in addition to the Excise duty which shall be prepaid as per following condition (6), at the prescribed rate of Rs. 4-12-0 (including local cess) per gallon of 20° U. P. and proportionately for higher or lower strengths, before the removal of liquor from the Bonded Depot established under the sanction of Government.

(6) The licensee shall pay the above duty and price into the Taluk Treasury or to a special shroff, if any, appointed in this behalf at the cost of Government and located at the Taluk Cutcherry to receive such duty and price daily, including Sundays and holidays, or to such other officer as may be appointed by the Deputy Commissioner, and shall obtain a receipt in the prescribed printed form. On production of such receipt, and indent for the supply of the liquor covered by the receipt, the Bonded Depot-keeper shall issue the quantity of liquor equal to the amount of duty and price shown in the said receipt, which will be forwarded to the Excise Commissioner's office under the endorsement of the Bonded Depot-keeper aforesaid, as to the date and hour when the liquor was issued. The Depot-keeper aforesaid shall issue a pass in the prescribed form for the transport of liquor from the Bonded Depot. He shall also issue sample bottles with the consignments in such manner as may be ordered by the Excise Commissioner.

(7) The licensee shall be bound to take over any liquor which may remain as stock in hand belonging to the out-going licensee on 1st July 1904, in the shop, paying him such compensation for the same as may be fixed by the Excise Commissioner.

(8) The licensee shall possess or use on any licensed premises only such standard measures as may, from time to time, be prescribed by the Excise Commissioner. The officers authorized to inspect licensed shops are empowered to enter and examine the premises to test the measures in use and the liquor under sale and to call for and check the accounts kept in the shops.

(9) The lease shall not be transferable by sale, gift or otherwise or be sub-rented except with the permission of the Excise Commissioner, nor if the Deputy Commissioner so orders, may any agent be appointed for the management of any privilege without his previous approval. All engagements entered into by the agent shall be deposited with the Deputy Commissioner within one month from the date of execution.

(10) Resignation of shops in whole or part will be summarily rejected by the Deputy Commissioner.

(11) The licensee shall be bound by the provisions of the Excise Laws and Rules in force and by any additional rules which may, from time to time, be prescribed under the Excise Laws, and if so required, to deliver up his license for amendment or issue of a fresh one.

(12) The Deputy Commissioner may, whenever he thinks fit, direct shops to be closed, or permit transfer of shops from one place to another, provided the distance is not more than 200 yards, or direct new shops to be opened with the previous sanction of the Excise Commissioner.

(13) Persons who purchase group of shops may, with the special permission of the Excise Commissioner, who is at liberty to refuse it, and under a license by a competent authority open a Depot and remove thereto liquor purchased from the Bonded Depot and issue therefrom the requisite supply to their shops.

(14) The licensee of shop or group of shops shall not, during the term of the license, have any interest in the exclusive privilege of vending toddy within 5 miles from it, nor permit any person having interest in the exclusive privilege of vending toddy within the said area, to hold any share or interest in his exclusive privilege of selling liquor; nor shall he, during the term of his license, without the written permission of the Excise Commissioner, have any interest, direct or indirect, in any arrack farm in any districts of the Madras or Bombay Presidency under the British Government or any other Foreign State or Territory, or Civil and Military Station, Bangalore.

(15) An Inspection note book with the pages numbered consecutively for inspecting officers to enter their remarks shall be maintained and be handed over to the Excise Inspector in charge of the Range or any officer authorized by him to receive it on a receipt being given therefor.

16. If the licensee shall be convicted on prosecution before a Magistrate of any offence against the Excise Regulation, or Opium Act or other law for the time being in force, which, in the Deputy Commissioner's opinion, renders him unfit to hold the license, it shall be lawful for the Deputy Commissioner to declare his license forfeited and sell or otherwise dispose of the privilege at the risk of the licensee.

17. All sums payable by the licensee may be deducted from the amount of his deposit or recovered by attachment and sale of the property of the licensee or his surety, under any law for the time being in force for the recovery of arrears of land revenue.

18. The license-holder or vendor or vendors shall not sell nor give any arrack exceeding one reputed quart to any individual to convey out of any licensed shops or premises without a valid permit.

19. The shop-keepers shall not sell or give any arrack to any European non-commissioned officer private or soldier, or to any European or Eurasian camp follower, or to any member of the families of any of the aforesaid persons, without the permission in writing of the Commanding Officer or of some person duly authorised by him in that behalf; nor to any European or Eurasian sailor; nor to any sepoy, member of the Police Force, or Excise Staff or servant of a Railway Company, whilst on duty; nor to any European vagrant under escort of the Police; nor to any child under twelve years of age; nor to any insane person for consumption on the premises; nor shall they sell any arrack on credit.

20. They (license-holder or vendor or vendors) shall not receive any articles whatsoever in barter or pledge. Payment for arrack shall be received by them in ready money only, and they shall be bound to give intimation of the offer of anything other than cash to the nearest Magistrate or Police Officer. They shall have no pecuniary dealings with any Excise Officer.

21. The arrack kept in his shop, offered for sale and sold shall be unadulterated and undiluted; and it shall be of the same quality and strength as issued from the Bonded Depot. No ingredients noxious to health shall be added to it either to increase its intoxicating power or for any other purpose. All officers authorized to inspect shops and depots are empowered to detain any liquor found unfit for consumption or use and all Deputy Commissioners, Excise Commissioner, Deputy Excise Commissioner and Excise Assistant Commissioners are authorized to destroy such.

22. No water or other beverage, or liquor other than arrack of any quantity whatever shall be kept or sold in the shop in which arrack is sold, or on the person or in possession of the license-holder or vendor or any of his employes in the shop.

23. No robbers or thieves or disorderly or riotous persons or prostitutes or soldiers or others known or believed to be deserters shall be harboured in the shop, and gaming, disorderly conduct, etc., therein shall be prevented, and information of their resort shall be given to the Magistrate or Police Officer. No person shall be harboured during night in any shop.

24. The license-holder shall fix in a conspicuous place outside of his shop a board on which shall be legibly printed in local vernacular, his name and the number of his license and the articles he is licensed to deal in and the current rate of sale; the license must be hung up in a conspicuous place within.

25. True account of receipts and issues of liquor shall be maintained from day to day in ink in the prescribed form. The accounts and permits shall be in printed books which may be obtained from local Excise Officers on payment of cost price. Permits for liquor received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved and delivered to the local Excise Officer immediately after the close of the lease. They shall be produced when asked for by the Deputy Commissioner or any Officer appointed by him or by an Excise Officer not below the rank of Excise Assistant Inspector. The licensee shall be bound to furnish such returns and information as may, from time to time, be required by the Deputy Commissioner or Excise Officer not below the rank of Assistant Inspector.

26. The following stock or such stock as the Excise Divisional Officer may consider sufficient to meet local requirements shall always remain on hand and not be trenched upon.—

	Arrack.	Remarks.
I. At all District Head-quarters	2 Gallons.	
II. At all Taluk and Depot Kasbas	1 Gallon.	
III. Village shops within 5 miles from Depot	½ Gallon.	
IV. Village shops more than 5 miles distant from Depot ..	Stock equal to one day's sale for every 10 miles from Depot and not less than the stock fixed for shops within 5 miles of the Depot.	

The shop shall be kept open during the authorized hours unless its temporary or permanent closure is authorized by the Deputy Commissioner.

27. The shop shall be closed by 9 P. M., and not be opened before sunrise except on special permit in cases of festivals, etc. The Deputy Commissioner or Assistant Commissioner in charge of the Taluk may direct that all shops for the sale of arrack on or adjacent to the line of march shall be closed whilst a detachment of European or Native soldiers is passing or

encamped in the vicinity. The Government reserves the power to terminate the lease of public grounds on giving the licensee 15 days' notice and awarding a reasonable compensation to the licensee. The licensee will have no claim to compensation or remission on account of any arrangements which may be made by Government in regard to Country Beer or other description of liquor than arrack.

28. The sales should be conducted in a suitable building which shall have only one door, and no window shall be allowed to the rear or ends of the building; the bar where the liquor is sold from, shall be opposite to the entrance door, and so situated that all persons inside can be seen by any one passing to and fro in the street; and no second room shall be allowed to be kept open for customers.

29. The right is reserved to the Deputy Commissioner to grant occasional licenses for the sale of liquor on the occurrence of fairs, festivals, etc., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall ordinarily be granted to the shop-keepers who usually supply the locality. Their period shall not exceed 15 days and the fee to be paid therefor shall be fixed at the Deputy Commissioner's discretion unless he decides to sell the same by public auction.

30. If it comes to the licensee's knowledge that any person employed by him in the carriage or sale of arrack, commits any breach of the Excise Laws or of the engagements entered into by him, it shall be his duty to report the matter to the Deputy Commissioner, and comply with the directions of the Deputy Commissioner respecting the continued employment of such person.

31. No person who has been convicted of a heinuous offence under the Indian Penal Code shall be employed in the carriage or sale of liquor without the Deputy Commissioner's previous permission.

32. The sale or transport of arrack by persons suffering from leprosy or any contagious disease, and the employment of such persons in the shop are prohibited.

33. No consignments of arrack received at the shop, and which have been transported through British territory, shall be opened before they have been verified by authorised officers.

11. In case of any breach of the above conditions either by the licensee or, with his connivance and privity, by any person in his employment, or in the event of the licensee neglecting to open his shop, or to carry on the business of his shop with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 50 for every such breach or for such neglect, or, at the option of the Deputy Commissioner, to declare the money deposited with him forfeited, and to cancel the license and re-sell the shop or to otherwise dispose of it at the risk of the licensee, or to place the shop under the management of Government; and all loss thereby caused, together with all losses accruing to Government in consequence of the licensee's neglect to carry on his business with due care and attention and by opening his shop on 1st July 1904, shall be made good by him. When a shop is cancelled, the rent for the whole period of the shop shall become due at once. All such amounts of penalties and losses shall be recovered in the same manner as if they were arrears of land revenue.

12. The imposition of a fine or the forfeiture of deposit or the cancellation of the license under the last preceding para, shall not be held to prevent the prosecution of the licensee or his agents or employees for any offence punishable under the Excise Laws or other Law for the time being in force.

NOTE.—For continuing breaches of a license, continuing fines may be imposed.

By Order,
L. ANANTASAMI RAO,
Offg. Secy. to Govt., Gen. & Rev. Depts.

(For Schedule see Supplement to the *Mysore Gazette*, dated 31st March 1904.)

SALE OF TODDY SHOPS FOR 1904-05.

Notification No. 641—Ex. F. 6-1902, dated Bangalore, 29th March 1904.

1. It is hereby notified by the Government of His Highness the Maharaja of Mysore that the exclusive privilege of selling toddy in each shop or group of shops specified in the appended Schedule, for one year, beginning with 1st July 1904 and ending with 30th June 1905, will be put up to public auction at upset prices by the respective Deputy Commissioners or by Revenue Assistant Commissioners or Divisional Officers of the Excise Department or other officers specially authorized by the Deputy Commissioners for the purpose, on the dates mentioned in the said Schedule, and at the respective Taluk or Sub-taluk Kasbas, and, except as hereinafter provided, will be knocked down to the bidder offering the highest amount of rent above those prices. If the sales are not completed on abovenamed days, they will be continued on the next following days (close holidays excepted). Should there be no bids for any shops singly, the officer conducting the sale shall be at liberty to revise, when necessary, in consultation with the Excise Divisional Officer, if present, the grouping of shops as specified in the Schedule hereto appended, or, if necessary, to reserve shops for which there may be no bids, for disposal hereafter, or to sell the said privilege in any particular case, by means of tenders or by private negotiation. The privilege in any Coffee Estate may be sold to the planter for a fixed amount not less than Rs. 12 per shop per annum. The shops in alienated villages shall be separately sold, and the amounts connected therewith shall be shown in the accounts under a distinct head. The sale in every case shall be subject to the conditions hereinafter set forth, and shall, *unless revised by the Government*, take effect upon formal confirmation by the Deputy Commissioner who shall be at liberty to accept or reject any bid at his discretion without assigning reason for the same. Such formal confirmation will be necessary whether the sale be held by the Deputy Commissioner himself or by any other officer appointed by him. Should there be no bid above the upset price, the officer conducting the sale may lower the upset price at his discretion. The officer conducting the sale may, at his discretion and without assigning any reason, refuse to accept the bid of any person on the ground that he has been convicted by a criminal court of such an offence, or has been guilty of such an infringement of the terms of his license or of a contract under the Excise Regulation or Opium Act as to render him undesirable as a holder of a license, or on the ground that he is insolvent, or in order to prevent arrangements to the detriment of Government interests, or for any other valid reason.

2. (*a*) Parties intending to bid must attend either in person or by duly authorized agents; and no person shall be permitted to bid either on his own behalf or on account of any one else until he has made a deposit of Rs. 25 for shops in the Kolar Gold Fields and the Cities of Bangalore and Mysore and Rs. 10 for shops in other places, or such other reasonable amount as may be fixed by the officer conducting the sale. Provided that the Government may at any time dispense with such initial deposit. Such deposit will, if offered, be received within three days previous to the date of sale. Deposits made by unsuccessful bidders, if not forfeited as hereinafter provided, will be returned at the close of the sale.

(*b*) No shops or group of shops shall be knocked down in the name of more than one person or of more than one company or firm duly represented. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

3. (*a*) The successful bidder shall, on the exclusive privilege being knocked down to him, at once, if so required by the selling officer, or otherwise at the close of the day's sale, further deposit a sum equal to one-twenty-fourth part of his bid for the year, that is to say, one-half of the monthly rent unless the initial deposit equals or exceeds two months' rent. Should he fail to do so, the deposit, if any, made by him under clause 2 (*a*) will be forfeited and the privilege will be sold again on the above conditions, or otherwise disposed of at his risk, as the Deputy Commissioner or selling officer may determine.

(*b*) The person to whom a shop or group of shops has been knocked down and who has made deposits as provided above, shall be required to leave his address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice, and he shall, within seven days after the service of the said notice by its presentation to himself or to any adult male member of his family at the place of said address or by its being affixed thereto or by its forwardal duly registered by post, pay at the Taluk Treasury concerned, such further sum as, with the former deposits, will make up an aggregate sum equal to two months' rent, and execute at the same time before the Amildar the necessary engagements and take out the necessary licenses, as hereinafter set forth.

4. (*a*) The deposit made under the preceding para shall be either in cash or in Government of India Securities duly endorsed in favor of the Deputy Commissioner. Provided that in cases where the monthly rent exceeds Rs. 10 (in lieu of a deposit of two months' rent as above,) the Deputy Commissioner may, in his discretion, allow any purchaser to deposit one month's rent as above, and to furnish approved personal security for an amount equal to four months' rent. In all cases where the monthly rent does not exceed Rs. 10, a cash deposit equal to two months' rent shall invariably be taken, and no personal security shall be accepted. If, on enquiry subsequent to sale, the purchaser shall be found to be a foreigner having no property in the Mysore State, or to be of doubtful solvency, he may be required to deposit twice the prescribed sum or to get a surety or sureties, residents of and possessing property in the Mysore State, to execute a security bond for the due payment of *all moneys* that may become due by him under the terms of the contract.

(5) If the Deputy Commissioner does not confirm the re-sale, he may make such other arrangements as may appear advisable for the remainder of the period of the license, in which case he shall serve a notice on the defaulting licensee, informing him of the nature of the arrangements made.

(6) Toddy shall not be sold to the public at less than the retail rates specified in the appended Schedule.

(7) The toddy shall be sold pure as drawn from trees, and shall not be adulterated or diluted in any manner in the shops, or depots, if any. No ingredient noxious to health shall be put into the toddy either to increase its intoxicating power or for any other purpose. All officers authorized to inspect shops and depots are authorized to detain any liquor found unfit for consumption or use and all Deputy Commissioners and Excise Commissioner, Deputy Excise Commissioner and Excise Assistant Commissioners are empowered to destroy such.

(8) If the licensee of a group of shops wishes to establish a depot for depositing toddy required for distribution to his shops, he shall obtain a license for it in the prescribed form. The passes issued with the toddy transported, shall be subject to examination and check by the officers authorized in this behalf.

(9) Toddy shall not be sold except in shops duly licensed by the Deputy Commissioner in the prescribed form, and no new shops shall be opened without the previous sanction of the Excise Commissioner. Tree-foot sales or sales in the open, or the disposal of toddy in any other manner unauthorized by the Rules, are strictly prohibited. Provided, however, that in bagani tracts, the licensee who has purchased the right of vend of bagani toddy, may permit the tapping of bagani trees for domestic consumption, as well as for sale within the limits of the village purchased by him. The licensee of the depot or shop or group of shops will be required to keep true account of the receipts and issues of toddy from day to day in ink in the prescribed form. The accounts and permits shall be in printed books which may be obtained from the local Excise Officer on payment of cost price. Permits for toddy received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved and delivered to the local Excise Officer immediately after the close of the lease. They shall be produced when asked for by the Deputy Commissioner or any officer appointed by him or by an Excise Officer not below the rank of an Excise Assistant Inspector. Such returns and information as may be required by the Deputy Commissioner or Excise Officer not below the rank of an Excise Assistant Inspector shall be furnished by holders of licenses without delay.

(10) The right is reserved to the Deputy Commissioner to grant occasional licenses for the sale of toddy on the occurrence of fairs, festivals, etc., in places in the vicinity of which, there are no regularly licensed shops. Such licenses shall ordinarily be granted to shopkeepers, who usually supply the locality. Their period shall not exceed 15 days and the fee to be paid therefor shall be fixed at the Deputy Commissioner's discretion unless he decides to sell the same by public auction.

(11) The Deputy Commissioner may, whenever he thinks fit, direct any shop or shops to be closed, or permit transfers of shops from one place to another within two hundred yards of the original sanctioned site. A sufficient supply of toddy shall be maintained in all sanctioned shops, the quantity being such as may be fixed by the Excise Divisional Officer.

(12) The licensee of shop or group of shops shall not, during the term of the license, have any interest in the exclusive privilege of vending arrack within 5 miles from it nor permit any person having interest in the exclusive privilege of vending arrack within the said area of 5 miles, to hold any share or interest in his exclusive privilege of selling toddy; nor shall he, during the term of his license, without the written permission of the Excise Commissioner, have any interest, direct or indirect, in any toddy shop or farm outside the Territories of Mysore, or in the Civil and Military Station of Bangalore.

(13) The licensee shall be bound by the provisions of the Excise Laws and Rules thereunder for the time being in force and by the terms and conditions of the license. The licensee shall possess or use on any licensed premises only such standard measures of capacity as may, from time to time, be prescribed by the Excise Commissioner. The officers authorized to inspect licensed shops, are empowered to enter and examine the premises to test measures in use and the toddy under sale and to call for and check accounts in the shop.

(14) The license shall not be transferable by sale, gift or otherwise or be sub-rented except with the permission of the Excise Commissioner. Resignation of shops in whole or in part will be summarily rejected by the Deputy Commissioner.

8. (1) Tree-tapping licenses in the prescribed form shall be issued on the application—

(*a*) of licensed toddy shop-keepers or of their duly authorized agents,

(*b*) of tree-owners in coffee estates, hittals and kans in the malnad free of the prescribed tree-tax for drawing toddy for *bona fide* domestic purposes as per Government Order No. 11897-906—Excise 485, dated 20th June 1898, for such number of trees as may be found necessary by the Excise Commissioner.

The licenses may be issued in the name of the applicant himself or of his nominees.

(2) Applications for the grant of tree-tapping licenses must be made in the prescibed form to the Excise Inspector of the Range concerned through the local Treasury. Forms may be obtained from him or the Assistant Inspectors under him.

(3) Applications for tree-tapping licenses, for trees in occupied or alienated lands, should be countersigned by the owner of the trees intended to be marked, in token of his consent. Applications for tree-tapping licenses for trees in State Forests and Plantations should be countersigned by the Forest Range Officer in token of his consent.

(4) Persons applying for the issue of tree-tapping licenses will be responsible to Government for all sums payable as tree-tax on account of the trees licensed therein to be tapped and also for tree-rent in the case of trees on Government unoccupied lands and also for local cess thereon.

(5) On receipt of an application, the Inspector will at once take steps for the marking of the trees by an officer superior in rank to a Sub-Inspector, and for the timely issue of the license. Applicants for date trees shall get the requisite spaces on their stems prepared and point out to the marking officer, when required by the latter to do so, the trees applied for by them. Should they fail to do so, after reasonable notice, the tree-tax and tree-rent paid by them shall be liable to be forfeited at the Deputy Commissioner's discretion.

(6) Deputy Commissioners may, subject to the orders of the Excise Commissioner from time to time, prescribe the minimum number of trees for which licenses will be granted, and the minimum number to be entered in a single application. They may also direct that the trees situated in one village only shall be included in an application.

(7) No trees shall be tapped, nor shall toddy be drawn from any toddy tree, nor shall any pot be attached to any toddy tree, until the tree has been marked by the proper officer. But the removal of leaves for the purpose of making incisions and the preparation of the spathes or incisions for the drawing of toddy is permitted as soon as the application in the prescribed form has been delivered to the Treasury concerned.

(8) For all toddy-yielding trees, tree-tapping licenses shall be annual. For the convenience of the licensee, applications for tree-tapping licenses will be received, trees will be marked and licenses will be issued during the fifteen days, and pots may be attached to such marked trees during the eight days immediately preceding the period to which they relate, to take effect from the commencement of such period, provided that no toddy shall be removed from the trees except during the currency of such license.

(9) No tree shall be tapped for toddy without a license therefor to be obtained by payment of tree-tax at the following rates:—

Tree.	Tree-tax for each tree per annum including local cess. Rs. a. p.
Date	... 1 1 0
Cocoanut	... 2 2 0
Palmyra	... 1 9 6
Bagani or Sago palm	... 1 9 6
Dadasal (Arenga wightii)	... 0 8 6

NOTE—The licenses will be free of tax to the Mysore Government in the cases specified in clause (1) above.

(10) In addition to the above tax, tree-rent at annas 4 per tree per annum with local cess at 3 pies thereon shall be paid for all Government trees applied for being tapped for the supply of toddy shops whether within or outside the Mysore Territories or in the Civil and Military Station of Bangalore.

NOTE.—No trees upon Government occupied land can be tapped without the consent of the owner. The present arrangement as regards trees on alienated land will hold good subject, of course, to the levy by Government of tree-tax.

The amount of tree-rent shall be credited to the respective Departments concerned.

(11) (*a*) The tree-rent together with the local cess on tree-rent and also the local cess on the tree-tax for trees applied for shall be payable in full at the time of application for tapping license.

(*b*) The tree-tax shall be payable in the following instalments, unless the Excise Commissioner shall otherwise direct:—

Period within which license is applied for.	Proportion of tre-teax to be paid at the time of application for license.	Proportion of tree-tax to be paid on the first of the 3rd month.
Between 1st July 1904 and 30th April 1905.	One-third	The remaining two-thirds.
Between 1st May 1905 and 30th June 1905.	The whole	None.

(*c*) If any instalments are not paid within the time, the license shall be liable to be cancelled or suspended under Section 26 of the Excise Regulation.

(*d*) When the licensee makes default and his shop is re-sold, his rights to, and claim on, Government trees cease and determine.

(*e*) In case of default, the Amildar with the Deputy Commissioner's permission will order the suspension of the tapping license till the arrears are paid up and if, after receiving notice of such suspension, the defaulter continue to tap the trees, he will be prosecuted for illicit tapping.

(12) The licensee shall not interfere with the licensees for cutting date leaves for mat-making, rope-making, basket-making, or for agricultural or other purposes, when they make use of the trees assigned for such purposes, and not reserved for tapping.

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2. (*a*) Parties intending to bid must attend either in person or by duly authorized agents; and no person shall be permitted to bid either on his own behalf or on account of any one else until he has made a deposit of Rs. 25 for shops in the Kolar Gold Fields and the Cities of Bangalore and Mysore and Rs. 10 for shops in other places, or such other reasonable amount as may be fixed by the officer conducting the sale. Provided that the Government may at any time dispense with such initial deposit. Such deposit will, if offered, be received within three days previous to the date of sale. Deposits made by unsuccessful bidders, if not forfeited as hereinafter provided, will be returned at the close of the sale.

(*b*) No shops or group of shops shall be knocked down in the name of more than one person or of more than one company or firm duly represented. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

3. (*a*) The successful bidder shall, on the exclusive privilege being knocked down to him, at once, if so required by the selling officer, or otherwise at the close of the day's sale, further deposit a sum equal to one-twenty-fourth part of his bid for the year, that is to say, one-half of the monthly rent unless the initial deposit equals or exceeds two months' rent. Should he fail to do so, the deposit, if any, made by him under clause 2 (*a*) will be forfeited and the privilege will be sold again on the above conditions, or otherwise disposed of at his risk, as the Deputy Commissioner or selling officer may determine.

(*b*) The person to whom a shop or group of shops has been knocked down and who has made deposits as provided above, shall be required to leave his address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice, and he shall, within seven days after the service of the said notice by its presentation to himself or to any adult male member of his family at the place of said address or by its being affixed thereto or by its forwardal duly registered by post, pay at the Taluk Treasury concerned, such further sum as, with the former deposits, will make up an aggregate sum equal to two months' rent, and execute at the same time before the Amildar the necessary engagements and take out the necessary licenses, as hereinafter set forth.

4. (*a*) The deposit made under the preceding para shall be either in cash or in Government of India Securities duly endorsed in favor of the Deputy Commissioner. Provided that in cases where the monthly rent exceeds Rs. 10 (in lieu of a deposit of two months' rent as above,) the Deputy Commissioner may, in his discretion, allow any purchaser to deposit one month's rent as above, and to furnish approved personal security for an amount equal to four months' rent. In all cases where the monthly rent does not exceed Rs. 10, a cash deposit equal to two months' rent shall invariably be taken, and no personal security shall be accepted. If, on enquiry subsequent to sale, the purchaser shall be found to be a foreigner having no property in the Mysore State, or to be of doubtful solvency, he may be required to deposit twice the prescribed sum or to get a surety or sureties, residents of and possessing property in the Mysore State, to execute a security bond for the due payment of *all moneys* that may become due by him under the terms of the contract.

(*b*) Should the initial deposit exceed the sum required to be deposited under clause 3 (*b*) or clause 4 (*a*), the excess will be refunded to the purchaser.

5. The purchaser of the exclusive privilege shall execute an agreement binding himself and, unless exempted by the Deputy Commissioner by an order duly recorded, as much of his movable and immovable property as may be deemed sufficient, to observe the conditions hereinafter set forth, as well as those specified in the license to be issued to him; and his surety, if any has been accepted under the above para, shall also execute a bond in the prescribed form binding himself and so much of his movable and immovable property as may be deemed sufficient by the Deputy Commissioner, for the due fulfilment by the purchaser of the terms fo his agreement. The agreement and bond so executed shall be stamped at the expense of the purchaser. They shall also be registered at his expense when the amount secured is Rs. 100 and above.

6. If default is made in making the deposit or deposits or in executing the agreement or the security bond, if any, and in taking out licenses as aforesaid, the exclusive privilege shall be forthwith re-sold or otherwise disposed of by the Deputy Commissioner at the risk of the first purchaser, who shall forfeit to the Government any deposit or deposits already made by him, and shall further be liable to make good any loss caused by such re-sale or other disposal. He shall not be entitled to any gain accruing from the re-sale or other disposal. In the case of loss the forfeited deposits will be deducted from it and the remainder, if any, shall be recovered as if, it were an arrear of land revenue. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

7. As soon as the agreements and bonds have been executed, the Deputy Commissioner will issue a license in the prescribed form, assigning to the purchaser the exclusive privilege referred to therein, subject to the following conditions; but nothing herein contained shall exempt the purchaser of the privilege from liability to the penalties prescribed for breaches of the conditions set forth below, though a formal license may not have been issued to him :—

(1) For the supply of toddy to his shops, the licensee shall have the privilege of obtaining, subject to Tree-tax Rules, toddy-yielding trees in the groves assigned to his shop or group of shops; and he shall be at liberty to manufacture toddy from the trees in private lands, under private arrangements between himself and the owners of such lands. He may purchase toddy from any licensed toddy shop-keeper on application to the Inspector, who will grant the required permits on proof of the necessity for the same. No toddy except the produce of trees marked by a proper officer and tapped under a license shall be kept in the shop or offered for sale or sold.

(2) The exclusive privilege shall extend to the sale of date, palmyra, cocoanut, bagani, and dadasal toddy. But in tracts where both date and bagani toddy shops exist, the licensee of the date toddy shop shall not tap bagani trees, and the licensee of the bagani toddy shop shall not tap date trees; but both licensees can tap any of the other palm trees named above.

(3) The amount of rent shall be payable into the local Government Treasuries on printed challans furnished for the purpose by Government, in equal monthly instalments commencing from 1st July 1904. No amount shall be paid to or received by the Excise Officers. In the malnad and semi-malnad taluks, the Deputy Commissioner may permit patels of villages who are not themselves licensees to receive payments not exceeding Rs. 50 from any individual at a time. But if the amount of annual rent for any shop does not exceed Rs. 12, the whole of it shall be paid in not more than three quarterly instalments. Each instalment shall be regarded as the rent for the month or quarter in respect of which it is payable. The licensee is not required to make any additional payment on account of local cess. Each month's or quarter's rent shall be payable on or before the 20th of the same month or before the end of the quarter. If default is made, the Amildar may, with the sanction of the Deputy Commissioner, by record in writing suspend or cancel the license, order the forfeiture of all deposits made by the defaulter, and proceed to re-sell or otherwise dispose of the shop or group of shops at the defaulter's risk (as soon after the last day of the month or quarter as may be possible), with effect from date of issue of license to the new purchaser, or from the date of other disposal. Provided, however, that instead of re-selling the same as above, the Deputy Commissioner may, in his discretion, direct the Amildar to issue licenses to sub-vendors or vendors under the defaulting licensee for rents, the aggregate of which is not less than the rent the defaulting licensee had agreed to pay. The officer who has power to suspend the license may, however, at his discretion, allow sales to continue pending re-sale or other disposal of the privilege.

NOTE.—The licensee of a Jatra shop shall pay the rent thereof in full before the Jatra begins.

(4) The deposit made by the licensee will be taken as security for the due performance of the conditions of the license and if not forfeited or credited or otherwise disposed of shall be taken in payment of the instalment due in the last month or months of the period of the license. All arrears and deficits payable by a licensee shall, with interest at 6 per cent per annuam, be recoverable from him or his surety under the rules in force for the recovery of land revenue. Interest shall be calculated on all arrears from the date of default and on deficits from the date of re-sale or disposal otherwise. No remission or abatement of the rent, or compensation shall on any account whatever be claimable by the lisensee, nor will he be entitled to any compensation for any trees withdrawn or taken for public purposes.

(13) The licensee shall place the license granted to him in a conspicuous place in the shop.

(14) A signboard shall be affixed in a conspicuous part of the front of each shop, containing in the local vernacular, the name of the shop-keeper, number of the license and the rate at which toddy is sold by him. The sale or transport of toddy by persons suffering from leprosy or any contagious disease and the employment of such persons in the shop, are prohibited.

(15) The licensee shall prevent all drunkenness or disorder or gaming within his shop.

(16) No shop or depot shall be opened before sunrise or kept open after 9 P.M. except under special authority. The shop shall be kept open during the authorized hours, unless its temporary or permanent closure is authorised by the Deputy commissioner.

(17) The licensee shall not harbour robbers or thieves, disorderly or riotuous persons or prostitutes or soldiers or others known or believed to be deserters. No person shall be harboured in any shop during the night, but, on the contrary, shall give intimation to the nearest Magistrate or Police officer as to any such persons who may resort to his shops.

(18) The licensee shall not receive any grain, jewels, goods, wearing apparel, or other article in barter or in pawn for toddy, but on the offer of any such, shall give information to the nearest Magistrate or Police officer.

(19) The licensee, vendor or vendors shall not sell to any person more than three measuring seers of toddy to be consumed by the person at one time in the shop. He shall not allow any one to take out of his shop without a pass more than two seers or imperial quarts, with the exception of bakers who are permitted to purchase and remove the quantity of toddy specified in the pass held by them. Toddy can be removed upon passes for consumption up to the limit of one imperial gallon or four seers.

(20). The licensee shall have no other pecuniary dealings with any Excise officer.

(21). The sales must be conducted in a suitable building which shall have only one door, and no windows or other opening shall be allowed to the rear or at the ends of the building. The bar at which toddy is sold shall be opposite the entrance door and so situated that all persons inside can be seen by any one passing to and fro in the street, and no second room shall be used for the sale of toddy, or be kept open for customers.

(22). The distillation of spirit from toddy is absolutely prohibited.

(23). No toddy shall be sold or given to any European Non-Commissioned Officer, private or soldier, or to any European or Eurasian camp follower, or to any member of the families of any of the aforesaid persons, without the permission, in writing, of the Commanding Officer, or of some person duly authorized by him in this behalf; nor to any European or Eurasian sailor, nor to any sepoy, member of the Police Force, Excise Officer, or a servant of a Railway Company whilst on duty; nor to any European vagrant under escort of the Police; nor to any child under twelve years of age; nor to any insane person for consumption on the premises: nor shall any toddy be sold *on credit*.

(24). The Deputy Commissioner or Assistant Commissioner in charge of the taluk may direct that all shops for the sale of toddy on, or adjacent to, the line of march shall be closed whilst a regiment or detachment of European or Native soldiers is passing or encamped in the vicinity.

(25). The Government reserves the power to terminate the lease on public grounds on giving the licensee 15 days' notice and awarding a reasonable compensation to the licensee. The licensee will have no claim to compensation or remission on account of any arrangements which may be made by Government in regard to country beer or other description of liquor than toddy.

(26). No person shall be appointed by the licensee for the management of any such privilege without the Deputy Commissioners previous approval. All engagements entered into by agent, shall be deposited with the Deputy Commissioner within one month from the date of execution.

(27). If it comes to the licensee's knowledge that any person employed by him in the manufacture, carriage or sale of toddy commits any breach of the Excise Law or of the engagements entered into by him, it shall be the licensee's duty to report the matter to the Deputy Commissioner, and to comply with the directions of the Deputy Commissioner respecting the further employment of such person.

(28). The licensee shall pay the usual mohatarfa tax on carts used for conveying toddy, but such carts shall not be impressed for Government work.

(29) An Inspection note book with the pages numbered consecutively for inspecting officers to enter their remarks, shall be maintained and be handed over to the Excise Inspector in charge of the Range or any officer authorized by him to receive it on a receipt being given therefor.

(30) No person who has been convicted of any heinous offence under the Indian Penal Code shall be employed in the carriage or sale of liquor without the Deputy Commissioner's previous permission.

(31) The tree-tax on toddy produced by trees in the Madras Presidency but consumed in the Mysore State, will be credited to the Mysore Government. The rate of tree-tax to be paid

in such cases will invariably be the highest in force on either side of the frontier. Tree-tax on trees in the Madras Presidency for which tapping licenses are about to be taken out by Mysore shop-keepers, must be paid in one instalment to the Amildar of the Taluk concerned in the Mysore State, who will grant a receipt in the prescribed chellan form and certify at the foot that the applicant is a person entitled to take out tree-tapping licenses. The applicant will then make his application to British authorities in accordance with the Madras Government Tree-tapping Rules, and will obtain a transport permit from the Inspector concerned in the Mysore State for the transport of the toddy drawn from the frontier to the shop or depot for which it is intended, after having complied with all requirements of the Madras Government Rules.

(32) Every person to whom a tapping license is granted for the manufacture of toddy shall observe the following rules in tapping date trees :—

(*a*) Date trees shall be tapped only by professional men.

(*b*) Trees tapped one year shall not ordinarily be tapped the next year.

(*c*) Trees shall not be over-tapped or over-worked.

(*d*) In no date trees shall the initial incision be made at any point less than 3 feet from the ground except in places where permission is specially given by the Excise Commissioner.

(*e*) The depth and width of the incision shall not exceed one-third of the diameter of the tree, and the length of it shall not exceed eight inches.

(*f*) Every fresh incision shall not be less than one foot above the last incision, except in localities where permission is specially given.

(*g*) The central spike-like clusters shall not be touched. Of the lateral leaves not less than two layers of leaves shall be left, reckoning from the layers immediately next to the central clusters down to the top line of the incision ; or in other words, above the top line of the incision not less than eight leaves shall be left excluding the central spike-like clusters, on that face of the tree on which the incision is made.

(*h*) The licensee shall not cut or injure or permit to be cut or injured the trees licensed to him or any other trees.

(*i*) The licensee or his employer will be liable to pay a fine of one rupee for each tree in excess of three per cent of the number of trees marked for him which may die from over-tapping or careless tapping either during the lease or within six months after its expiration.

(33) In every grove where toddy-yielding trees are tapped, a ladder shall always be kept by the tap-men to enable Excise officers to examine incisions or spathes, as the case may be, or to measure the incisions.

9. In case of any breach of the aforesaid Rules or of the conditions of the license, either by the licensee, or with his connivance or privity by any person in his employment, or in the event of the licensee neglecting to open his shops on 1st July 1904 or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding the sum of Rs. 50 for every such breach or neglect, or at the option of the Deputy Commissioner to declare the money deposited with him forfeited, and to cancel the license and to re-sell the exclusive privilege or otherwise dispose of it at the risk of the licensee, or to place it under the management of Government. When a license is cancelled, the rent for the whole period of the license shall become due at once ; and all loss caused to Government by the cancelment of the license or by the re-sale or other disposal of the privilege, shall be made good by the licensee or his surety in the manner specified under para 3 (*a*) above. All sums due shall be recovered in the same manner as if they were the arrears of land revenue.

10. If the licensee shall be convicted on prosecution before a Magistrate of any offence against the Excise Regulation or Opium Act or other law for the time being in force, which, in the Deputy Commissioner's opinion, renders him unfit to hold the license, it shall be lawful for the Deputy Commissioner to declare his license forfeited or sell or otherwise dispose of the privilege at the risk of the licensee.

11. All sums payable by the licensee may be deducted from the amount of his deposit, or recovered by attachment and sale of the property of the licensee or his surety, under any law for the time being in force for the recovery of arrears of land revenue.

12. The imposition of a fine or the forfeiture of a deposit or the cancellation of the license under the last preceding condition shall not be held to prevent the prosecution of the licensee or his agents or employees for any offence punishable under the law for the time being in force.

NOTE.—For continuing breaches of a license continuing fine may be imposed.

By Order,

V. R. THYAGARAJA IYER,

for *Offg. Secy. to Govt., Gen. & Rev. Depts.*